

**AGENDA
TRAVERSE CITY BOARD OF ZONING APPEALS
REGULAR MEETING
TUESDAY, MAY 12, 2015
7:00 P.M.**

**Commission Chamber, Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464**

- 1. CALL MEETING TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES-** Approval of the April 14, 2015 regular meeting minutes.
- 4. REQUEST 15-BZA-06 – A REQUEST FROM ROBERT YVON, 134 EAST NINTH STREET, TRAVERSE CITY, MICHIGAN for:**

A 30 foot dimensional variance to allow for a new driveway to access a street and be less than 100 feet from an existing driveway located at the property commonly known as **1034 South Garfield Avenue**, Traverse City, Michigan.

- 5. REQUEST 15-BZA-07 – A REQUEST FROM TOM MCINTYRE OF SNAFU INVESTMENTS, 116 CASS STREET, TRAVERSE CITY, MICHIGAN for:**

A use variance to allow for a new driveway to access a street in a C-4 district located at the property commonly known as **215 Washington Street**, Traverse City, Michigan.

- 6. PUBLIC COMMENT**
- 7. OTHER BUSINESS**
- 8. ADJOURNMENT**

The City of Traverse City does not discriminate on the basis of disability in the admission or access to or treatment or employment in, its programs or activities. Penny Hill, Assistant City Manager, 400 Boardman Avenue, Traverse City, Michigan, 49684, 922-4481, T.D.D., 922-4412, has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator. If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator.

**MINUTES
TRAVERSE CITY BOARD OF ZONING APPEALS
REGULAR MEETING**

TUESDAY, APRIL 14, 2015

7:00 P.M.

**Committee Room, Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4464**

PRESENT: Members Bergman, Szajner, Donaldson, Raferty, Wegener, Hanley and Vice-Chairperson Callison and Chairperson Cockfield.

ABSENT: Members Lomasney and Jones.

1. CALL MEETING TO ORDER

The meeting was called to order at 7:10 p.m.

2. APPROVAL OF MINUTES- Approval of the March 10, 2015 regular meeting minutes.

Motion by Member Donaldson, seconded by Member Bergman to approve the March 10, 2015 regular meeting minutes as presented. Upon vote the motion carried 8-0.

3. REQUEST 15-BZA-04 – A REQUEST FROM MICHAEL BOUDJALIS, 539 WEST FRONT STREET, TRAVERSE CITY, MICHIGAN for:

A dimensional variance to allow for a new home to have an attached garage which has alley access that is located in the Central Neighborhood Historic District located at the property commonly known as **116 South Maple Street**, Traverse City, Michigan.

Mike Boudjalis presented drawings and answered questions from the Board.

Public comment was opened.

Tom Mair, 116 South Maple Street, spoke about having the house moved instead of being demolished.

Motion by Member Donaldson, seconded by Vice-Chairperson Callison to grant a dimensional variance to allow for a new home to have an attached

garage which has alley access that is located in the Central Neighborhood Historic District located at the property commonly known as 116 South Maple Street, Traverse City, Michigan based on the Statement of Conclusions and Finding of Fact contained in the Order Granting for Variance No. 15-BZA-04. Upon vote the motion carried 8-0.

4. PUBLIC COMMENT

None.

5. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

David Weston, Planning and Zoning Administrator

Date: _____

**CITY OF TRAVERSE CITY
ORDER AUTHORIZING
VARIANCE NO. 15-BZA-04**

Pursuant to the City of Traverse City Code of Ordinances § 1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address: 116 South Maple Street
Property Description: N 65 FT OF LOTS 15-16-17 BLOCK 16 HANNAH LAY & CO'S 10TH ADD
Variance Granted: A dimensional variance to allow for a new home to have an attached garage which has alley access that is located in the Central Neighborhood Historic District
Applicant: Michael Boudjalis, 539 West Front Street, Traverse City, Michigan.

It is determined that the Applicant has demonstrated a hardship as well as showing of good and sufficient cause authorizing a variance by the City of Traverse City Code of Ordinances. The findings of fact and reasons upon which this determination is based are as follows:

1. The attached Statement of Conclusions and Finding of Fact are incorporated herein by reference.
2. The procedures and requirements for variance decisions by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on _____, _____, at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the County Committee Room, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan.

Date: _____

David Weston, Planning and Zoning
Administrator

Note: A decision of the Board of Zoning Appeals shall be final. However, any party having a substantial interest affected by an order, determination or decision by the Board of Zoning Appeals may appeal to the Circuit Court, if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan

STATEMENT OF CONCLUSION AND FINDINGS OF FACTS 15-BZA-04

The following are the Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 15-BZA-04, for the property commonly known as **116 South Maple Street**, Traverse City, Michigan, from Michael Boudjalis.

1. Practical Difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other properties or used in the same district.
2. In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
3. No substantial adverse effect on property values in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
4. The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
5. The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
6. Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
7. The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
8. The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

The foregoing Statement of Conclusions are supported by the following Findings of Fact No 15-BZA-04:

1. The parcel is a nonconforming lot with dimension of 65' x 75'.
2. The parcel is located in the Central Neighborhood Historic District.
3. The Zoning Code prohibits attached garages for parcels with alley access in designated Historic Districts.
4. The Zoning Code requires detached garages have a separation requirement of 20 feet between the garage and the dwelling in designated Historic Districts
5. Meeting the separation requirement between the dwelling and the garage would only allow a buildable area of approximately 7' x 44'.
6. The architectural plans will need to be approved by the Historic Districts Commission.



Communication to the Board of Zoning Appeals

FOR THE MEETING OF: May 12, 2015

FROM: DAVID WESTON, ZONING ADMINISTRATOR

SUBJECT: REQUEST 15-BZA-06

DATE: May 8, 2015

A request from A request from Robert Yvon, 134 E. Ninth Street, Traverse City, Michigan for relief from the zoning laws to allow for a new driveway to access Garfield Avenue for the property commonly known as 1034 S. Garfield Avenue.

Presently, there is residential home located at the property mentioned with two driveways on Garfield Avenue. The applicant would like to construct a single driveway onto Garfield Avenue and eliminate one existing driveway. The property mentioned is zoned C-1 (Office Service District) and a driveway cannot be any closer than 100 feet (with City Engineer approval) from an existing driveway (§1374.04(c)). As proposed, if the new driveway is constructed it will be 70 feet from an existing driveway (Pure Water Works). The applicant will be requesting a 30 foot dimensional variance to allow for a new driveway to access a street and be less than 100 feet from an existing driveway.



City of Traverse City

APPLICATION FEE: \$240.00	Date of Application: 4/21/15
Check Number: 4156	Date of Public Hearing: 5-12-15
Receipt Number: 18052	Case Number: 15-32A-04

TRAVERSE CITY BOARD OF ZONING APPEALS
APPLICATION

for Variance, Exception, Appeal, Ordinance Interpretation or
Reconsideration

PROPERTY DESCRIPTION (legal description AND property address): 1034 S. GARFIELD AVE., TC MI
PART OF S 1/2 OF NE 1/4 OF SE 1/4 OF SEC 11,
T 27 N, R 11 W

REQUEST AND PROPOSED PROJECT:
REDUCTION FROM 100' TO 70' (30' VARIANCE)
FOR NEW DRIVEWAY REPLACING 2 EXISTING
DRIVEWAYS ON PARCEL (90' ROAD FRONTAGE)

TO BE COMPLETED BY ZONING ADMINISTRATOR:

Request: Appeal for Administrative Decision _____
Interpretation of Ordinance _____
Exception _____
Variance _____

Name: ROBERT YVEN Phone: 883.9461 Fax: _____

Address: 134 E. NINTH ST. TC MI 49684

Signature of Owner: _____

Signature of Applicant (if different): _____

Relationship of Applicant to Owner: PROJECT ARCHITECT

APPLICATIONS MUST BE RECEIVED A MINIMUM OF 21 DAYS PRIOR
TO THE MEETING AT WHICH THE REQUEST WILL BE CONSIDERED.

REPRESENTATION AT HEARING: THE APPLICANT OR THE APPLICANT'S
AUTHORIZED AGENT MUST BE PRESENT AT THE PUBLIC HEARING TO
PROPERLY ANSWER QUESTIONS CONCERNING THE APPEAL. IF THE
APPLICANT OR AGENT IS NOT PRESENT, THE APPEAL MAY BE DEFERRED
UNTIL THE NEXT MEETING OR DISMISSED AT THE DISCRETION OF THE BOARD.

*** PLEASE NOTE THE REVERSE SIDE FOR SITE PLAN REQUIREMENTS ***

2 EXISTING DRIVERS
TO BE REMOVED.

220.50

Alley

EXISTING BUILDING

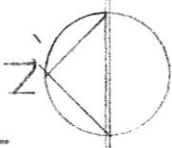
2025.05.01

PROPOSED USE: BUSINESS OFFICE
 PARKING: SPACE / 300 LF = 10 SPACES
 FUTURE DEVELOPMENT: BUSINESS
 OR RESIDENTIAL

LEGAL DESCRIPTION:
PART OF S ¹/₂ OF T1E
OF SE ¹/₄ OF SECTION 7
TOWN 27 N, RANGE 11
GRAND TRVERSE 00.

735 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501 1502 1503 1504 1505 1506 1507 1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563 1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638 1639 1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650 1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662 1663 1664 1665 1666 1667 1668 1669 1670 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753 1754 1755 1756 1757 1758 1759 1760 1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772 1773 1774 1775 1776 1777 1778 1779 1780 1781 1782 1783 1784 1785 1786 1787 1788 1789 1790 1791 1792 1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822 1823 1824 1825 1826 1827 1828 1829 1830 1831 1832 1833 1834 1835 1836 1837 1838 1839 1840 1841 1842 1843 1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154

PURE WATER WORKS - BILL SIEGMUND
E.A. WON - ARCHITECT - 4.21.15



Fd. 1/2" Rerod & Cap #13026
0.17' East

Fd. 1/2" Iron Pipe
0.09' East
of Record Location

South Line of Lot 2, Plat of Flansburg Addition
S 88°51'26" E(M) S 88°49'00" E(R) 280.50'(R)&(M)

Wire Mesh Fence
1.2'± Encroachment

Wire Mesh Fence
0.3'± Encroachment

Stockade Fence

27.7'±

90.8'±

Monitor Well

Edge of Conc. Curb/Roadway

Gravel Driveway

90.00'(R)&(M)

28.7'±

Gravel Driveway

72.97'(M)

73.00'(R)

30.0'±

6" Steel Sign Post

Asphalt Curbing

30.7'±

Drain Grate

Chain-link Fence

117.00'(R)&(M)

49.5'±

78.2'±

7.3'±

37.4'

6.8'±

17.4'

9.4'

2.1'

30.1'

4.0'

13.3'

25.1'

24.0'

15.0'

4.1'

0.8'

5.5'

Conc. Porch & Steps

1-Story Conc. Block & Frame House & Attached Garage

Conc. Porch & Steps

Commercial Building

63.2'

24.4'

17.9'±

Gravel Driveway

Split Rail Fence

18.0'±

Pole

N 00°10'00" E 90.00'(R)&(M)

N 88°49'00" W(R)

N 88°51'29" W(M)

163.50'

5'x15' Conc. Pad for Dumpster (1.6'± Encroachment)

Wire Mesh Fence

0.7'± Encroachment

Stockade Fence

280.50'(R)&(M)

0.09' West of 1/2" Rerod

Fd. 1/2" Rerod & Cap #25875

N 00°10'00" E 72.94'(M)

N 00°10'00" E 73.00'(R)

Steel Guard Rail

Commercial Building

63.2'

24.4'

17.9'±

Gravel Driveway

Split Rail Fence

18.0'±

Pole

N 88°50'47" W(M)

N 88°49'00" W(R)

117.00'(R)&(M)

30.0'±

6" Steel Sign Post

Asphalt Curbing

30.7'±

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117.00'(R)&(M)

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0.09' West of 1/2" Rerod

Fd. 1/2" Rerod & Cap #25875

N 00°10'00" E 72.94'(M)

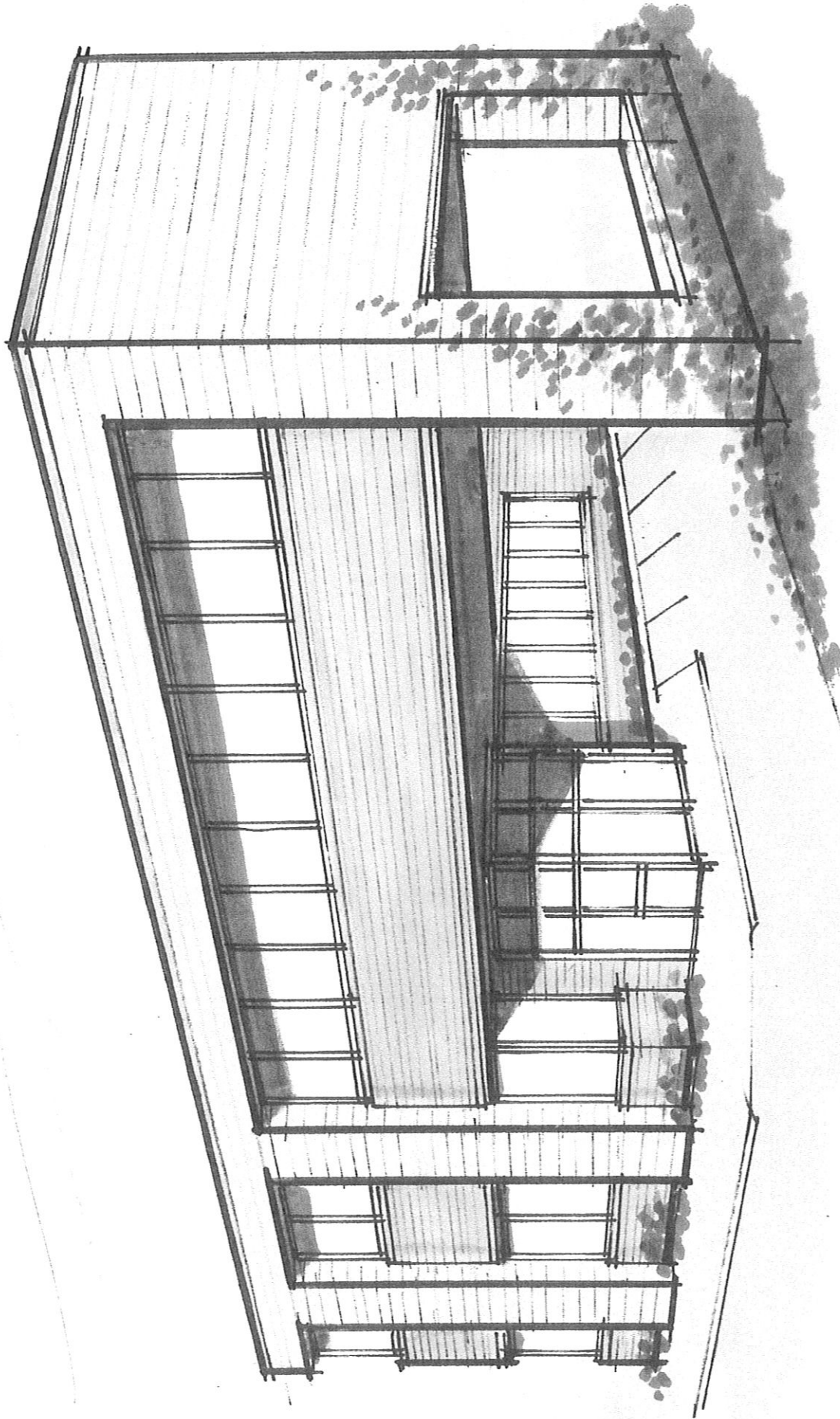
N 00°10'00" E 73.00'(R)

Steel Guard Rail

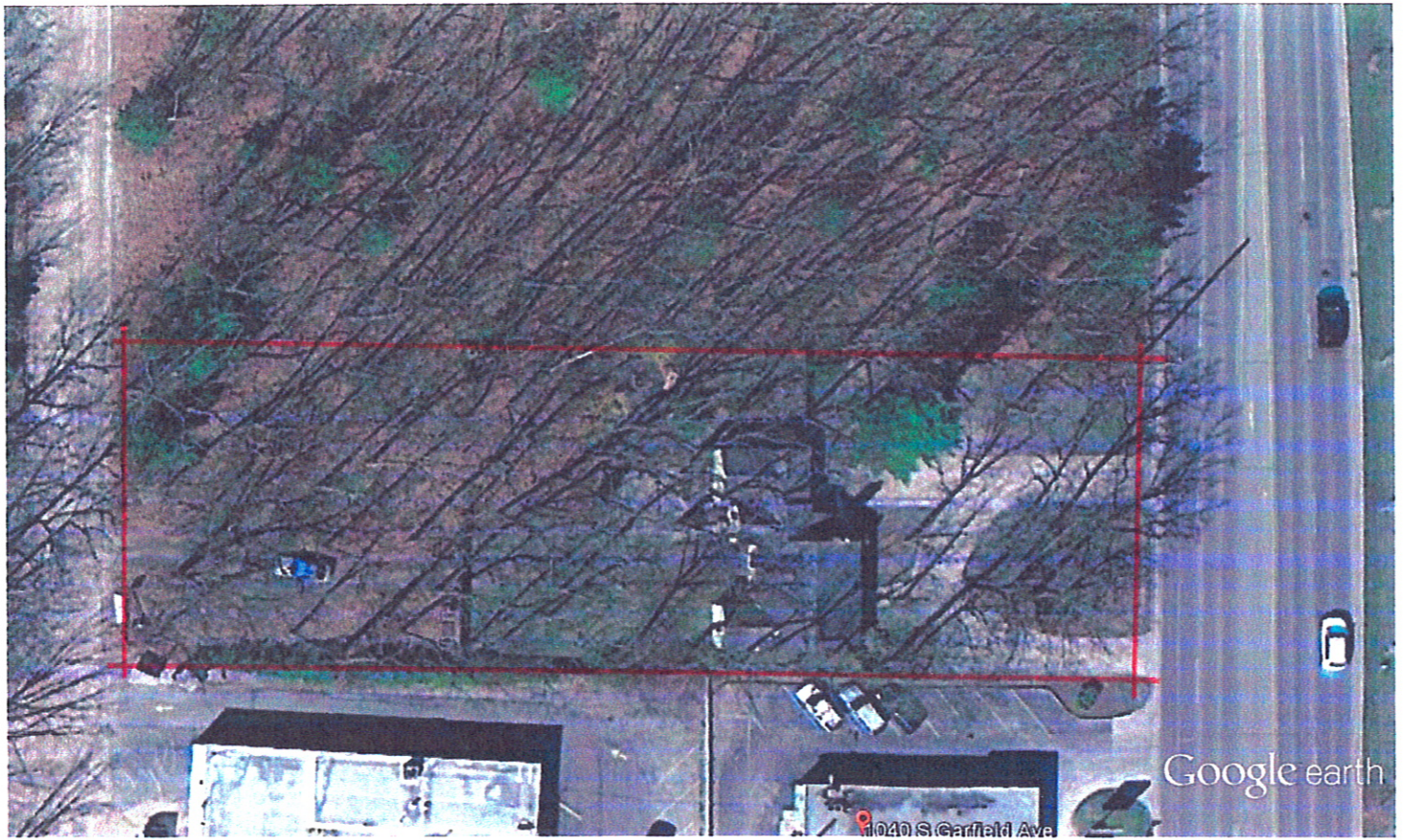
Commercial Building

63.2'

24.4'



PROPOSED
PURE WATER WORKS
1034 S. GARFIELD AVE.
P.A. YOUNG ARCHITECT 5.6.10



1034 S. GARFIELD AVE. - EXISTING



Communication to the Board of Zoning Appeals

FOR THE MEETING OF: May 12, 2015

FROM: DAVID WESTON, ZONING ADMINISTRATOR *DMW*

SUBJECT: REQUEST 15-BZA-07

DATE: May 8, 2015

A request from Tom McIntyre of SNAFU Investments, 116 Cass, Traverse City, Michigan for relief from the zoning laws to allow for a new driveway to access Washington Street for the property commonly known as **215 Washington Street**.

Presently, there is a 5-story mixed-use building under construction with on-site parking located at the property mentioned which will have access from the alley. Mr. McIntyre would like to construct a new driveway to access the building from Washington Street. The property mentioned is zoned C-4b (Regional Center District) and new driveways are not permitted to be constructed from streets when there is alley access (§1374.04(b)(2)). Mr. McIntyre will be requesting a use variance to allow for a new driveway to access a street in a C-4 district.

For an historical perspective, I have attached communications between the City Engineer and the City Manager and a letter from the City Manager and the applicant. The last variance request for a driveway from a street in a C-4 District was in 2007 for the property located at southwest corner of Boardman Avenue and State Street. I have attached those minutes for your review.

The standard to grant a use variance is as follows:

1324.05(d)(2)(B) **Use variance.** An unnecessary hardship shall exist where the lot considered in combination with other land owned by the applicant adjacent thereto has no reasonable value.

Memorandum

The City of Traverse City
Engineering Department



TO: Jered Ottenwess, City Manager

FROM: Timothy J. Lodge, City Engineer 

DATE: November 10, 2014

SUBJECT: Washington Place Development, 215 Washington Street

As you may recall the City Commission approved the development plans for the above referenced project at their December 2, 2013 meeting. We have recently received the construction plans for the project and have noted some differences. We asked the applicant to summarize the changes and in response received the attached letter from the project Architect. Additionally, staff noticed that the plan included a second level parking area which was not indicated on the approved plans directly, but, a second level of parking was referenced as "Underground Parking". The approved plan indicated that a vehicle elevator would be used to access the second level parking. The plan presented for approval did not have this access but instead indicated a second level access off of City Property either from the alley or Washington Street which have not been authorized or approved.

To ensure consistency with the approved plans we requested the applicant to revise their plans to indicate access to the second level parking by a vehicle elevator and to submit a request to consider access from the City parcel. We have received the attached letter from REI which summarizes the request. To better understand the request we have attached the developer's proposed site plan, A1, for access through the City Property. We have also attached a plan prepared by our office to improve the City property for parking. The plans align quite well for the second level parking, however, after a brief discussion with Parking Staff and the City Attorney several concerns are evident with encumbering the City property with the requested easement.

Finally, we have attached an alternate site plan, A1-ALT, which shows a driveway access off of Washington Street. Current zoning does not allow for this driveway as the development has alley access which is intended to serve as access to the adjacent properties. However, the plan shows a future phase of infill development which may be desirable. A separate application to the BZA will be required if this option is pursued by the Developer.

Because the development plans were reviewed and approved by the City Commission we need guidance as to how to proceed with the request(s) from the developer.

October 2, 2014

Russ Soyering, Director of Planning
David Weston, Zoning Administrator
City of Traverse City
400 Boardman Ave
Traverse City, MI 49684

Re: Washington Place

Russ and David,

The Washington Place mixed-use condominium project is scheduled for construction this winter. As you know it has been in the planning phases since 2005. Per your request, the following is my description of the development of the building from early design ideas to final construction documents ready for permit.

Early schematic design renderings developed in 2011 for marketing purposes and developer use show a 4-story red brick building approximately 50 feet high, approximately 48,000 square feet with an approximately 12,000 square foot footprint. It was designed with curved balconies and steel or aluminum rails, arched and recessed primary street entrances, brick patterned fenestration between windows, shallow brick pilasters, parapet walls at the roof, heavy masonry coursing at the first floor and at the sidewalk, limestone or cast stone detailing and decorative infill and tall storefront glazing at both Washington and Cass Streets.

The final plan for the building being built this fall with a 5th floor and overall height of approximately 60 feet is approximately 60,000 square feet and has nearly the same footprint as before plus a two-tiered parking deck to the east. It includes most of the features of the previous design but in a little more refined way: windows are dark to match brick color and muntin patterns are more refined to reflect plan function, hinged French door replace sliders at terraces and balconies, the parapet in most cases is more open with a decorative steel or aluminum rail and there is less limestone or cast stone detailing with more brick in general.

While the footprint is nearly exactly the same, the place is softer architecturally and more sensitive to its downtown context. I hope this helps.

Sincerely,



Kenneth C. Richmond, AIA

RECEIVED

OCT 02 2014

PLANNING DEPT
CITY OF
TRAVERSE CITY



RECEIVED

OCT 07 2014

PLANNING DEPT
CITY OF
TRAVERSE CITY

10/6/14

Tim Lodge
City of Traverse City
400 Boardman Avenue
Traverse City, MI 49684

Regarding: Washington Place – Easement Request

Dear Mr. Lodge,

As the designated agent of SNAFU Investments, LLC and the Washington Place project, I am formally requesting an easement to exit the upper deck of the parking structure into the future City parking lot to the East. If an easement is required and approved, SNAFU agrees to pay for a portion of the construction including site fill to the new grade, gravel base, and paving associated with the drive lane and parking adjacent to the building. SNAFU also agrees to pay for the cost of the lost parking spaces if the easement is required and approved.

As discussed a vehicle elevator has been shown on the drawings to access the upper deck as a backup plan. SNAFU is pursue the possibility of acquiring the neighboring property with the city for a future development associated with Washington Place. Additionally SNAFU will pursue a zoning variance through the ZBA to install a curb cut along Washington Street.

If you need any additional information please feel free to contact my office you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Laureto", written over a horizontal line.

Jon Laureto
REI Construction Consultants
Traverse City, MI 49684



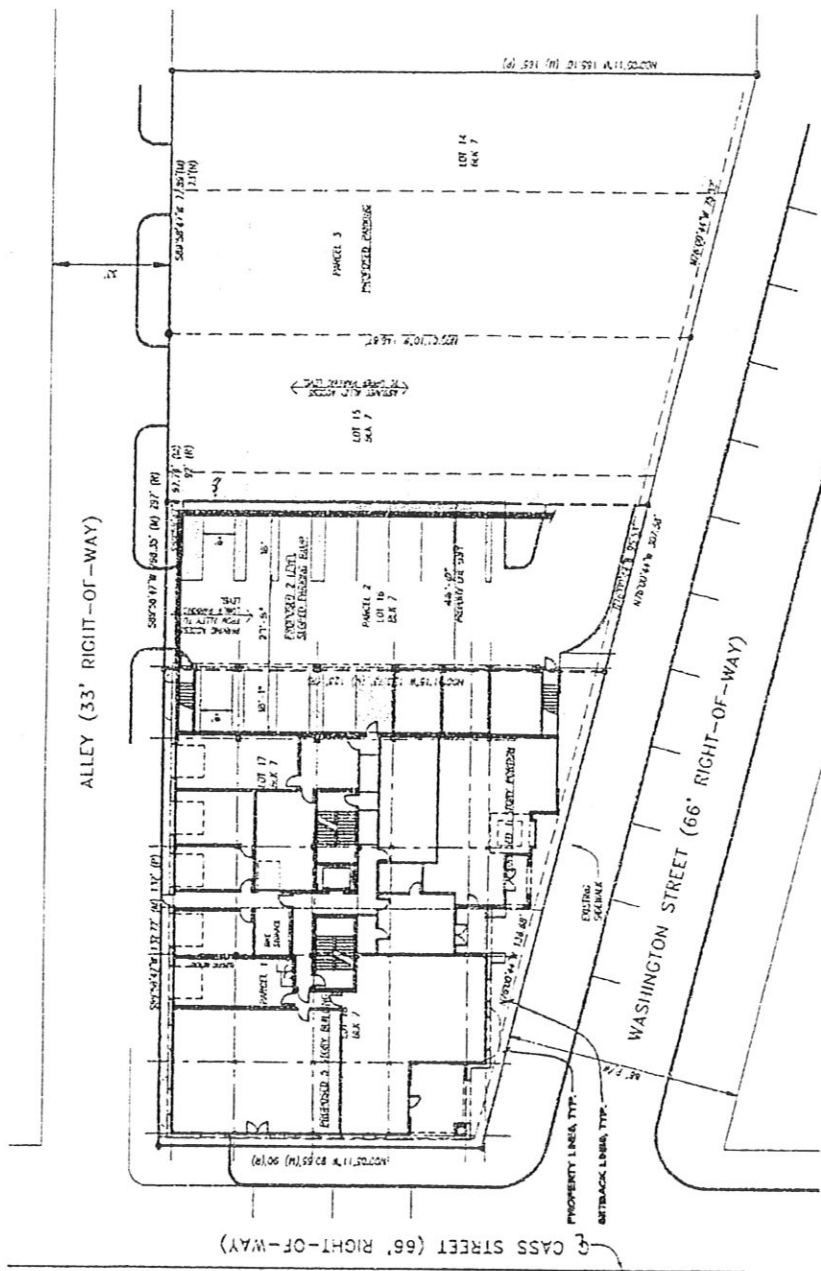
WASHINGTON STREET (66' RIGHT-OF-WAY)

WASHINGTON PLACE

RICHMOND
Architects

Ken Richmond, A.L.A.

419 S. Burwood, Studio 15
 Traverse City, Michigan 49664
 Phone: 231-944-0400
 Fax: 231-944-5323
 Email: km@kathymonahanstudio.com



Memorandum

The City of Traverse City
Office of the City Manager



TO: TIMOTHY J. LODGE, CITY ENGINEER

CC: LAUREN TRIBLE-LAUCHT, CITY ATTORNEY
RUSS SOYRING, PLANNING DIRECTOR
PENNY HILL, ASSISTANT CITY MANAGER

FROM: Jth JERED OTTENWESS, CITY MANAGER

DATE: NOVEMBER 14, 2014

SUBJECT: WASHINGTON PLACE DEVELOPMENT, 215 WASHINGTON STREET

In response to your memo dated November 10, 2014 in which you request guidance with respect to this development, please be advised that the developer is only authorized to construct this development in accordance with the Approved Project, which the City Commission approved on December 2, 2013 pursuant to the Option Agreement between the City of Traverse City and SNAFU, LLC executed on February 22, 2006. As you know, as a condition of the Option Agreement to purchase the property now under development, the Buyer, SNAFU, LLC was required to receive approval from the City Commission for an Approved Project that included designated parking location and layouts. The City Commission approved an Approved Project that clearly designated parking access from the alley between Washington and State Streets with an internal vehicle elevator for access between floors. The Approved Project did not include access from either Washington Street or the now City-owned property adjacent to the 215 Washington Street development and west of Parking Lot M.

City staff recently met with developer representatives, Tom McIntyre and Jon Laureto, on Wednesday, November 12th. I reiterated the City's position that they are not authorized to construct access to the development from either Washington Street or the City-owned property to the east of their development. I also advised them that City staff would not support their interest in obtaining/purchasing a permanent easement across the City-owned property to the east of their development nor would staff support their interest in pursuing a variance to construct a curb cut and access along Washington Street for the sole purpose of accessing the current development at 215 Washington Street, which would also require an amendment to the Approved Project. We also discussed with developer representatives the possibility that they could enter into an option agreement to purchase the City-owned property to the east of the 215 property that would replicate the option agreement that has allowed the 215 development to proceed so that they can develop a Washington Place Phase 2 development. I intend to draft a letter to the developer of 215 outlining the parameters of such an agreement in order to formalize our discussions from November 12th. This potential option agreement is preliminary, but could allow alternative access to the 215 development if approved by the City Commission. However, as of this writing

the development at 215 Washington must comply with the Approved Project including the parking location and layout. The Approved Project does not allow access from either Washington Street or the City-owned property to the east of the 215 development.

The City of Traverse City

Office of the City Manager

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, MI 49684
(231) 922-4440
(231) 922-4476 Fax



November 18, 2014

Mr. Tom McIntyre
SNAFU Investments, LLC
116 Cass Street
Traverse City MI 49684

Re: Washington Place Phase I and Phase II

Dear Mr. McIntyre,

As we discussed at our meeting on November 12th, the approved site plan for Phase I calls for a vehicle elevator to be constructed, with access to the site from the alley. You indicated that this configuration is not the preferred one. You indicated that it is SNAFU's intent to request an option to purchase city-owned property (Parking lot N and property adjacent to Parking Lot N to the west) for the construction of Washington Place Phase II, and to request a "temporary easement" for use of and access to City-owned property (Parking lot N) for the Washington Place Phase I project. The term of the temporary easement would coincide with the term of the option to purchase. Upon completion of Phase I and Phase II, access to both sites would be from the alley, and the need for the vehicle elevator would be eliminated.

I suggested that this concept would be appropriate to schedule for a Study Session of the City Commission in order to gauge support for the proposal. In order to place this on the agenda, I will need a formal request from you, including any draft or concept plans including a description of Phase II development that show the relationship between Phase I and Phase II; how Parking lot N is anticipated to be used on the temporary basis; and the offered purchase price based on the most recent appraisal from January 2014.

I suggest that we begin this process as soon as possible since you have indicated that Phase I will be impacted by whether or not the City wishes to sell the subject City-owned property, and construction has already begun on Phase I.

I must emphasize that you proceed with construction of the Approved Project for Washington Place, Phase I. Any deviation from the Approved Project, which was approved by the City Commission at its December 2, 2013 meeting, will be undertaken at your own risk.

I am looking forward to hearing from you in the near future.

Sincerely,

A handwritten signature in cursive script, reading "Jered Ottenwess", is located below the "Sincerely," text.

Jered Ottenwess
City Manager

JO:ph

Copy: Lauren Tribble-Laucht,; Russ Soyring; Tim Lodge; Rob Bacigalupi
File

MINUTES
TRAVERSE CITY BOARD OF ZONING APPEALS
REGULAR MEETING
TUESDAY, AUGUST 14, 2007
7:30 PM
Commission Chamber, Governmental Center, 2nd Floor
400 Boardman Avenue
Traverse City, Michigan 49684
231-922-4778

PRESENT: Members Peltz, Hoekje, Wegener, Nixon, Stephan, Vice-Chairman Cockfield and Chairman Callahan.
ABSENT: Members Murphy and Olson
STAFF PRESENT: David Weston, Kelli Springer

1. CALL MEETING TO ORDER

The meeting was called to order at 7:32 p.m.

2. APPROVAL OF MINUTES - Approval of the minutes for the June 12, 2007 regular meeting.

Motion by Member Cockfield, seconded by Member Hoekje to approve the June 12, 2007 regular meeting minutes as presented. Upon vote the motion carried 7-0.

3. REQUEST 07-08 - A request from Matthew D. Hughey, KZH Properties L.L.C., 3880 Incochee Road, Traverse City, Michigan, for a dimensional variance to allow for a new commercial building and parking area to exceed the maximum impervious surface by 10 % for the properties commonly known as **618, 620 and 626 West Front Street**, Traverse City, Michigan. (§1342.03)

Jim Christopherson attorney for Matthew D. Hughey presented drawings and answered questions from the Board.

Matt McClellan, Otwell Mawby spoke about environmental issues.

Rick Buckhalter, 1115 Rose Street, expressed support for the variance.

Betsy Bunn, 611 Third Street, Unit 5, had questions for the Board and staff.

Colleen Horton, 611 Third Street, Unit 1, expressed concerns about flooding.

Ann Marie Doyle, 611 Third Street, Unit 6, expressed concerns about lighting and dumpster placement.

*Motion by Member Cockfield, seconded by Member Stephan to grant a dimensional variance to allow for a new commercial building and parking area to exceed the maximum impervious surface by 10 % for the properties commonly known as **618, 620 and 626 West Front Street**, Traverse City, Michigan based on the Statement of Conclusions and Finding of Fact contained in the Order Granting Dimensional Variance No. 07-08. Upon vote the motion carried 6-1 with Member Peltz voting in opposition.*

4. **REQUEST 07-09** - A request from Gerald A. Snowden, 1449 South Long Lake Road, Traverse City, Michigan for a dimensional variance to allow for a new driveway to access a street in a C-4 district and be less than 100 feet from an existing driveway located at the property commonly known as **346 East State Street**. (§1374.04(b)(2) & 1374.04(c))

Gerald Snowden presented drawings and answered questions from the Board.

Denni Scrudato, 422 East State Street, expressed support for the variance.

Rick Buckhalter, 1115 Rose Street, expressed support for the variance.

*Motion by Member Peltz, seconded by Member Wegener to grant a dimensional variance to allow for a new driveway to access a street in a C-4 district and be less than 100 feet from an existing driveway located at the property commonly known as **346 East State Street** based on the Statement of Conclusions and Finding of Fact contained in the Order Granting Dimensional Variance No. 07-09. Upon vote the motion carried 5-2 with Members Cockfield and Callahan voting in opposition.*

5. **PUBLIC COMMENT**

Denni Scrudato, 422 East State Street, spoke on the lost opportunity to widen Front Street with the potential project at Front and Division.

6. **OTHER BUSINESS**

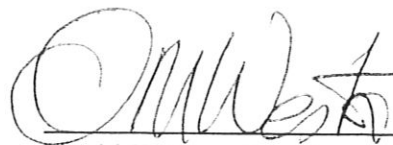
None.

7. **ADJOURNMENT**

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Date: 9-11-07


David Weston, Secretary

**CITY OF TRAVERSE CITY
ORDER AUTHORIZING
DIMENSIONAL VARIANCE NO. 07-09**

Pursuant to the City Zoning Ordinance §1324.05(d), Variances, the Board of Zoning Appeals hereby authorizes a dimensional variance for the following:

Street Address: 346 East State Street, Traverse City, Michigan

Property Description: LOT 8 BLK 21 ORIG PLAT
2005 CHANGE TO CONDOS; RETIRED #798-164-01 AND CREATED
#513-000-00

Variance Authorized: A dimensional variance to allow for a new driveway to access a street in a C-4 district and be less than 100 feet from an existing driveway.

Applicant/Owner: Gerald A. Snowden/2006 Boardman & State Partners

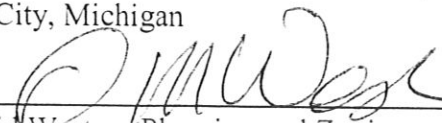
It is determined that the Applicant has demonstrated a practical difficulty as well as the basic conditions for authorizing a variance required by the Zoning Code. The findings of fact and reasons upon which this determination is based are as follows:

1. The attached Statement of Conclusions and Finding of Fact is incorporated herein by reference.
2. The procedures and requirements for variance decisions required by law and ordinance have been followed.

This Order shall not be deemed to be City approval for anything other than the variance authorized by this order, and shall not relieve the owner or occupier of the land from obtaining any other license, permit or approval required by law or ordinance.

I hereby certify that the above Order was adopted on SEPT. 11, 2007, at a regular meeting of the Board of Zoning Appeals for the City of Traverse City at the Commission Chamber, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan

Date: 9/11/07


David Weston, Planning and Zoning
Administrator

NOTE: A decision of the Board of Zoning Appeals Shall be final. However any party having a substantial interest affected by an order, determination or decision of the Board of Zoning Appeals may appeal to the Circuit Court if made to the Court within twenty-eight (28) days after rendering the final decision or upon grant by the Court of leave to appeal. Codified Ordinances of Traverse City Michigan §1324.07 (a).

STATEMENT OF CONCLUSIONS AND FINDINGS OF FACTS NO. 07-09

The following are Statements of Conclusions supported by evidence submitted to the Board of Zoning Appeals in connection with a request for a dimensional variance, Request No. 07-09, for the property commonly known as **346 East Street**, Traverse City, Michigan from Gerald A. Snowden.

- a) Practical difficulty. There are exceptional or extraordinary circumstances or physical conditions that do not generally apply to other property or uses in the same district.
- b) In granting the variance, the spirit of the Zoning Code is observed, public safety is secured and substantial justice is done.
- c) No substantial adverse effect on property value in the immediate vicinity or in the district where the property is located will occur as a result of granting this variance.
- d) The difficulty presented by the applicant in support of the request for a variance is not so general or recurrent in nature that a formulation of a general regulation for such condition is preferable.
- e) The practical difficulty is unique to the property and not to the general neighborhood and shall apply only to property under control of the applicant.
- f) Granting the variance is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district.
- g) The difficulty is not solely economic and is based on the reasonable use of a particular parcel of land.
- h) The difficulty was not the result of an act of the applicant or a person in privity or concert with the applicant.

The foregoing Statement of Conclusions are supported by the following Findings of Fact for request No. 07-09:

1. There are approximately 31 curb cuts along State Street between Pine Street and Boardman Avenue.
2. There are 3 curb cuts along State Street, between Park Street and Boardman Avenue.
3. The City Plan supports the expansion of residential opportunities in the downtown area.
4. When someone is entering and someone is leaving, the individual entering is forced to back up into the alley
5. Operational limits for the curb cut are for ingress only from State Street.
6. There is 4 feet of vertical drop from the alley to the first garage door.
7. The Planning Commission provide the Board a letter of support for the granting of the variances.



City of Traverse City

APPLICATION FEE: \$240.00	Date of Application: <u>4-21-15</u>
Check Number: <u>1033</u>	Date of Public Hearing: <u>5-12-15</u>
Receipt Number: <u>18101</u>	Case Number: <u>15-B2A-07</u>

**TRAVERSE CITY BOARD OF ZONING APPEALS
APPLICATION**

for Variance, Exception, Appeal, Ordinance Interpretation or
Reconsideration

PROPERTY DESCRIPTION (legal description AND property address): Washington Place - 215 Washington St.
See attached Legal Description

REQUEST AND PROPOSED PROJECT:

Allow curb cut onto ~~the~~ Washington Street to access
parking for the Washington Place Project see Timeline Attachment.

TO BE COMPLETED BY ZONING ADMINISTRATOR:

Request: Appeal for Administrative Decision _____
Interpretation of Ordinance _____
Exception _____
Variance _____

SNAFU Investments
Name: Tom McIntyre Phone: 947-0880 Fax: _____

Address: 116 Cass, Traverse City, MI 49684

Signature of Owner: [Signature]

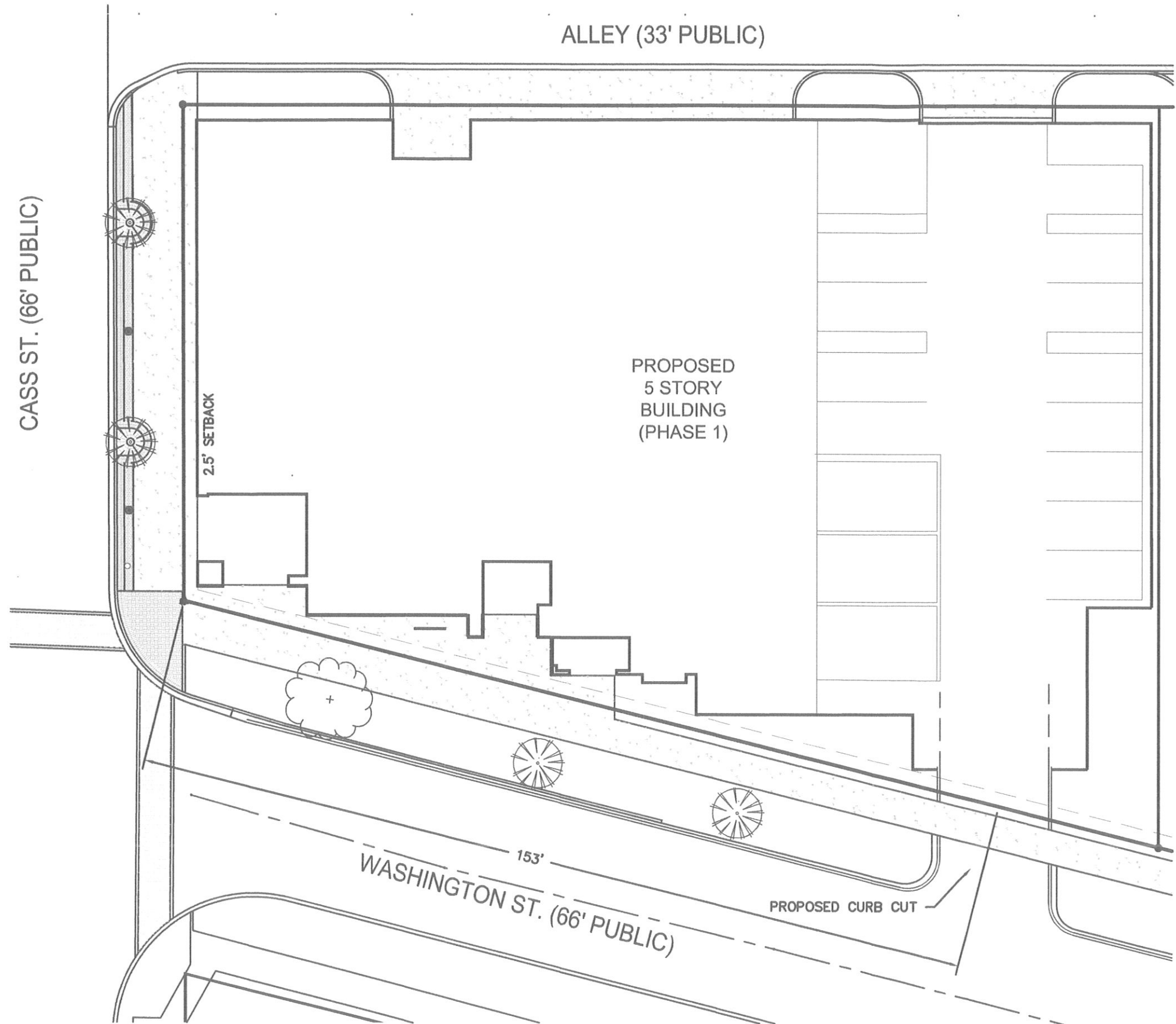
Signature of Applicant (if different): _____

Relationship of Applicant to Owner: _____

**APPLICATIONS MUST BE RECEIVED A MINIMUM OF 21 DAYS PRIOR
TO THE MEETING AT WHICH THE REQUEST WILL BE CONSIDERED.**

REPRESENTATION AT HEARING: THE APPLICANT OR THE APPLICANT'S
AUTHORIZED AGENT MUST BE PRESENT AT THE PUBLIC HEARING TO
PROPERLY ANSWER QUESTIONS CONCERNING THE APPEAL. IF THE
APPLICANT OR AGENT IS NOT PRESENT, THE APPEAL MAY BE DEFERRED
UNTIL THE NEXT MEETING OR DISMISSED AT THE DISCRETION OF THE BOARD.

*** PLEASE NOTE THE REVERSE SIDE FOR SITE PLAN REQUIREMENTS ***



Proposed Curb Cut- Washington Street



SITE ENGINEER:

4-20-15

ISSUE DATE:
REVISIONS:

WASHINGTON PLACE

City of Traverse City,
Grand Traverse County, Michigan

PROJECT:

CLIENT:

LOCATION:

JOB NO.:
2013-147

C1

May 6, 2015

Zoning Board of Appeals
400 Boardman Avenue
Traverse City, MI 49684

Regarding: Washington Place Curb Cut Variance

To whom it may concern:

We are writing to request the Zoning Board of Appeals to consider a new curb cut on the North side of Washington Street to access the nineteen parking spaces on the upper level parking lot being built at Washington Place. The original proposal for an automobile elevator has turned out to be a very awkward, impractical solution and, we worry, a real liability for users. Because the new lot is less than two feet above Washington Street at this location, a new curb cut here is a direct and obvious solution.

While new curb cuts are not encouraged in the C-4b District, new ones especially in locations like this one, may be considered to meet the intent of the ordinance.

In addition to the presentation we will make on Tuesday, May 12th, please consider the attached packet of information in support of this request.

The packet contains the following:

- a) Frequently Asked Questions
- b) ZBA Talking Points
- c) Neighborhood Support - Park Place Hotel
- d) Neighborhood Support - Alward, Fisher, Rice, Rowe and Graf
- e) Neighborhood Support - Covell
- f) Exhibit 1 – Zoning Map
- g) Exhibit 2 – Curb Cut Inventory
- h) Exhibit 3 - Washington Place Site Plan Overlay
- i) Exhibit 4 - Curb Cut Dimension Plan
- j) Exhibit 5 – Section View
- k) Otis email confirming Car Elevators do not allow passengers in the State of Michigan
- l) Section of Resubmitted Plans with added vehicle elevator reference
- m) PIE Meeting Construction Safety & Logistics plan
- n) ZBA Files re: Brownstones 346 East State St.
 - a. Meeting Minute section
 - b. Planning Commission support curb cuts to encourage residential downtown
 - c. 10/17/2006 Request for curb cut letter
 - d. 1/23/2007 Draft Language amending City Zoning Ordinance, The Brownstones

Sincerely,

Tom & Sheila McIntyre
Co-developers
Washington Place Development

Washington Place Curb Cut Request

Frequently Asked Questions:

5/6/15

Why are we here?

We are here to request the variance that is necessary to permit access to a second level of the parking at Washington Place residential condominium development. If approved, this variance will increase the number of parking spaces available in downtown Traverse City by 19 spaces. In order to accomplish this, we, our engineers, our architects, and our consultants have all determined that the only viable option is to request this variance for the installation of a curb cut on the north side of Washington Street.

Can the additional parking be added without the variance?

No, if this request is denied the Developer will not be able to utilize these additional spots.

What will happen if the variance is not awarded by the ZBA?

The residents of Washington Place condominiums will have to use the current permit parking and street parking, which is already deficient.

What other options has the Developer investigated to provide for the additional parking?

Due to the size and topographical limitations of the site, there aren't options for additional parking on this site other than what is proposed in this request. We investigated internal ramps, which does not allow a net gain in spaces, access through Lot N, the City indicated this option is not available and car elevators and lifts; car elevators are not allowed in the State of Michigan and lifts for moving vehicles are not safe or practical for the residents to operate.

What is unique about this site?

The unique topography on the site (the Washington Street sidewalk elevation is higher than the alley elevation) allows the opportunity to create the upper parking level with minimum visual impact – it appears as a surface lot when it is really elevated above the underground parking. There is no new impervious surface required allowing for much more efficient use of this space.

Have similar variances been awarded by the City?

The Brownstones, located at 346 East State Street, on this same block was awarded a curb cut variance under substantially similar circumstances.

How is Washington Place different from The Brownstones?

Unlike the approved curb cut for The Brownstones project required a total of three variances for minimum distances from intersections and adjacent curb cuts and a curb cut onto E. State Street. We are requesting one variance request for the curb cut itself.

Why not stay with a car elevator as approved by the city commission?

Through the design development process it was discovered that car elevators are not allowed in the State of Michigan. A lift is allowed in the State, but it is impractical and unsafe for use in multifamily residential projects due to numerous safety issues.

What will happen if the variance is not awarded?

Residential multifamily is not common in the C4 district and generally residential multifamily developments require a higher amount of parking. A shortage of parking is a common issue in the city. The Washington Place condominiums will add approximately 35 cars that will require permanent parking downtown. With both the underground and above ground parking currently in the plan, Washington Place will have 43 parking spaces available for owners and residents if this request is approved. If the variance is denied, there will be 19 fewer parking spaces available creating a hardship on owners as well as people who work downtown and require public parking in this area.

Is this project in the spirit of the Master Plan and Zoning?

Yes, this project is a multifamily residential building and is completely consistent with the master plan by encouraging mixed-use density downtown. Residential projects such as this require direct access to parking for safety and accessibility.

How many total parking spaces will be created downtown?

19 new downtown parking spaces will be created if this request is approved. We also plan to work with staff to reduce the impact of the curb cut on street parking through possible fire hydrant relocation and the possible traffic calming measure of shifting parking to the South side of Washington Street.

Why not a ramp off the alley?

Designs showing access ramps to upper level parking off the alley do not allow any increase in parking due to losing spaces below the ramp, in addition to the space that the ramp would occupy, and space required to account for the needed turning radiuses.

How many curb cuts are currently on Washington and State Streets?

All other multifamily properties on Washington Street and a similar section on State Street have curb cuts. If denied this will be the only multi-family residential property in the area without curb cut access.

Date: May 6th, 2015

Project: Washington Place Condos
Corner of Washington & Cass

RE: Zoning Board of Appeals

Talking Points:

Traverse City Zoning Ordinance compliance:

--The intent of the ordinance is to "regulate" not to restrict the "...number, location and spacing of driveway entrances to public streets".

--The requested location for the curb cut and it's proposed construction details meets or exceeds the "conditions for Issuance", which are the practical and safety considerations for its use, including minimum driveway spacing requirements and minimum distances from street intersections, (this request is 140ft. from corner, 540ft. from next adjacent drive), heated drive and sidewalk and new curbs on the street.

--The C-4 District encourages new development: a) to provide joint use of driveways for varied users, b)to provide integrated common parking facilities, c) to work with/respect historically significant buildings nearby, d) to include high density, downtown housing—all key components to this development.

--Private parking is an allowed use in the C-4 District. The proposed lot off Washington Street, except for the restriction limiting car access from the street, complies with all the other ordinance conditions including: setbacks, accessory to allowed use, demonstrated need, car circulation clearances, screening and landscape development and pedestrian travel within the parking area. The lower level parking also complies with its alley access, enclosed structure and elevation below Washington Street. Alternatively, the ordinance also provides for one driveway from a public street, as proposed in this request. Note, if this lot were considered public parking, it would be in full compliance.

Conditions for ZBA Approval:

--The new Washington Place building clearly meets the "spirit of the Zoning Code", in fact it is being viewed as a model for downtown residential infill development by neighbors, residents, other developers and city leaders.

--The only effect this new development will have on property values in the immediate vicinity is overwhelmingly positive. The need for a curb cut for access to parking is not unlike conditions for the ZBA approved curb cut at the Brownstone Condominiums on Boardman granted in 2006, (#8 on exhibit site plans). Both projects are on an atypical alley (the same one, sort of)- not quite a dead end, but nearly—an exception in Traverse City.

--While we have taken advantage of the topography of the parcel in the building design, it has created practical difficulties in accessing the Washington Street upper level parking. With a curb cut, this hardship goes away.

--Most other properties on this block of Washington Street have curb cuts including the other two multi-family projects across the street. There are only a few single family exceptions. Until or unless there is a concise planning process for the rest of the street, (specifically the inevitable Park Place redevelopment), these separate curb cuts seem necessary to preserve property rights.

-- Because of the unique alley behind and the specific topography of the site on Washington Street, without the requested curb cut the on-site parking potential for this property is halved. All other solutions to access the proposed second level parking use up most of the spaces to get there.

--The proposed two level lot accommodates 43 cars -- barely enough for the new development that includes 23 new single family condominiums and 3 new businesses of 4240 square feet. Residents and business owners and their clients cars not accommodated on site will take public city spaces from the street. This request is more about a reasonable use of land- both Washington Place's and the city's- than it is about economics.



PARK PLACE HOTEL

May 6, 2015

The Zoning Board of Appeals
City of Traverse City
400 Boardman Avenue
Traverse City, Michigan 49686

Re: Request for Washington Street access from Snafu Development, LLC

Dear ZBA Members:

I am the General Manager of the Park Place Hotel and am writing to express my support for the Snafu Development request for access onto Washington Street from the surface parking lot now under construction.

Parking in all of downtown Traverse City is a concern for the business community, but as the largest business in the downtown area, I can assure you that there is a serious deficit of adequate parking in the 200 blocks of both State Street and Washington Street. This deficit is due to several factors: The parking demands placed on the area during weekdays when the Courthouse and other government offices are open and so active with employees and visitors, tourists seeking parking spaces convenient to downtown shopping, our many guests at the Park Place Hotel, the two churches located in the immediate area and the local residents and their guests needing a place to park.

We strongly support the Washington Place condominium project and the 23 residential units it will bring to downtown Traverse City. But we are concerned that without the requested access to the above ground parking and a curb cut onto Washington Street, there will be a serious added demand placed on both nearby public and private parking which is already inadequate to serve the needs of the neighborhood.

I urge you to approve this requested access to Washington Street.

Sincerely,

Amy Parker
General Manager
Park Place Hotel

ALWARD FISHER RICE
ROWE & GRAF

ATTORNEYS AT LAW

202 E. STATE STREET, SUITE 100
TRAVERSE CITY, MI 49684
Phone (231) 346-5400
Facsimile (231) 941-9679
WWW.NMICHLAW.COM

E-mail: talward@nmichlaw.com
Direct: (231) 346-5401

May 6, 2015

Board of Zoning Appeals
City of Traverse City
400 Boardman Ave.
Traverse City, Michigan 49684

Re: Washington Place Variance Request

Dear Sir or Madam:

I am a partner at Alward, Fisher, Rice, Rowe & Graf, PLC. Our office is located in the City Centre building at 202 E. State Street. On behalf my partners, our employees and clients, I am writing to strongly support the variance requested by Washington Place Development.

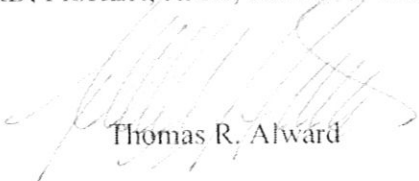
Parking is a major issue in the City of Traverse City and even more specifically in this area. Our employees generally arrive to work between 7:30 a.m. and 8:00 a.m. By the time they arrive, all or a majority of the parking spaces in Lot N and on Washington Street are not available. Our attorneys and staff often complain that if they leave for lunch or run an errand, when they return there is no where to park. Further, we find when there is no where to park, we have the general public simply park in our restricted spots.

It is my understanding that if the variance is not granted, the second floor of the parking deck will not be completed and there will be 19 fewer spots. This could have a dramatic negative impact on an already dire situation.

We sincerely hope the Board of Zoning Appeals will take this opportunity to award a variance for a single curb cut that would allow the addition of these needed parking spaces.

Sincerely,

ALWARD, FISHER, RICE, ROWE & GRAF, P.L.C.



Thomas R. Alward

TRA/skc



May 7, 2015

The Zoning Board of Appeals
City of Traverse City
400 Boardman Avenue
Traverse City, Michigan 49686

Re: Request for Washington Street access from Snafu Development, LLC

Dear Board Members:

I am writing today as the Manager of Covell Funeral Home located at 232 E. State Street, Traverse City. We are neighbors of the Washington Place Development project and share the alley and private and public parking with this development and the other neighbors and businesses on the block. The purpose of this letter is to support the development's request for access onto Washington Street from their surface parking area now being constructed.

As a long time business person in this area I can assure you that there are serious parking deficiencies on the alley, along the streets and within our own property. Oftentimes we experience a lack of adequate parking during funerals at our business. We also must constantly monitor our own parking lots to be sure that the public is not using our spaces when they are looking for parking downtown.

I understand that by approving their request, Washington Place Development will be able to provide up to 19 additional parking spaces on this block. These parking spaces are very important to our business, to our neighbors, and to the City of Traverse City. With so many new residents moving onto the block it will undoubtedly create even more of a shortage of parking if the developer is not permitted this access.

I would sincerely appreciate your support of this requested access to Washington Street.

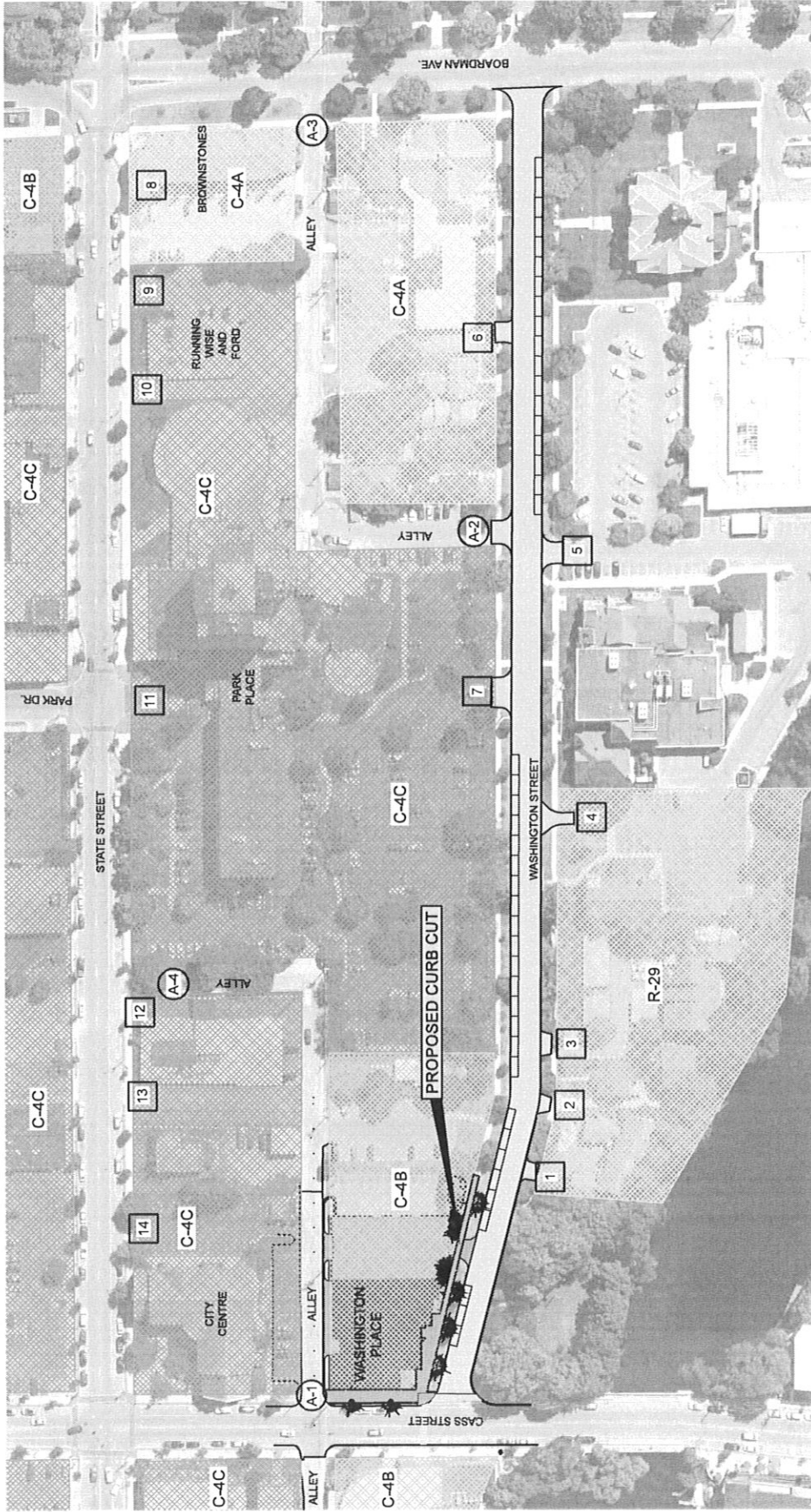
Sincerely,

A handwritten signature in cursive script, appearing to read "Stephanie Kehrer".

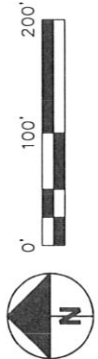
Stephanie Kehrer
Manager

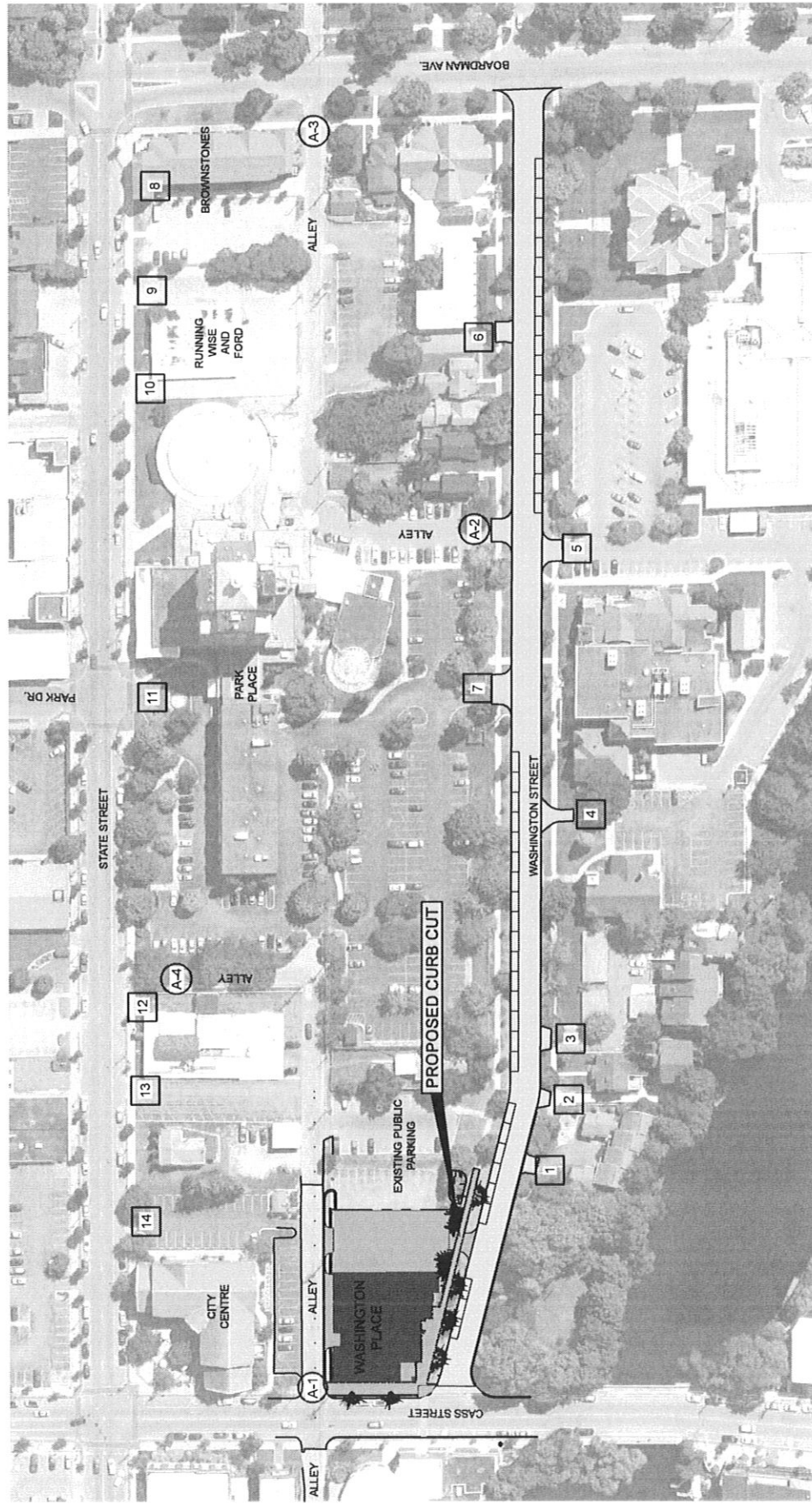


232 E. State Street • Traverse City, MI 49684 • 231-946-6515 • Fax 231-946-1099
200 North Brownson Avenue • Kingsley, MI 49649 • 231-263-5522
312 Pine Street • Elk Rapids, MI 49629 • 231-264-5666
www.DignityMemorial.com



- 8 EXISTING CURB CUT
- A-1 EXISTING ALLEY CURB CUT



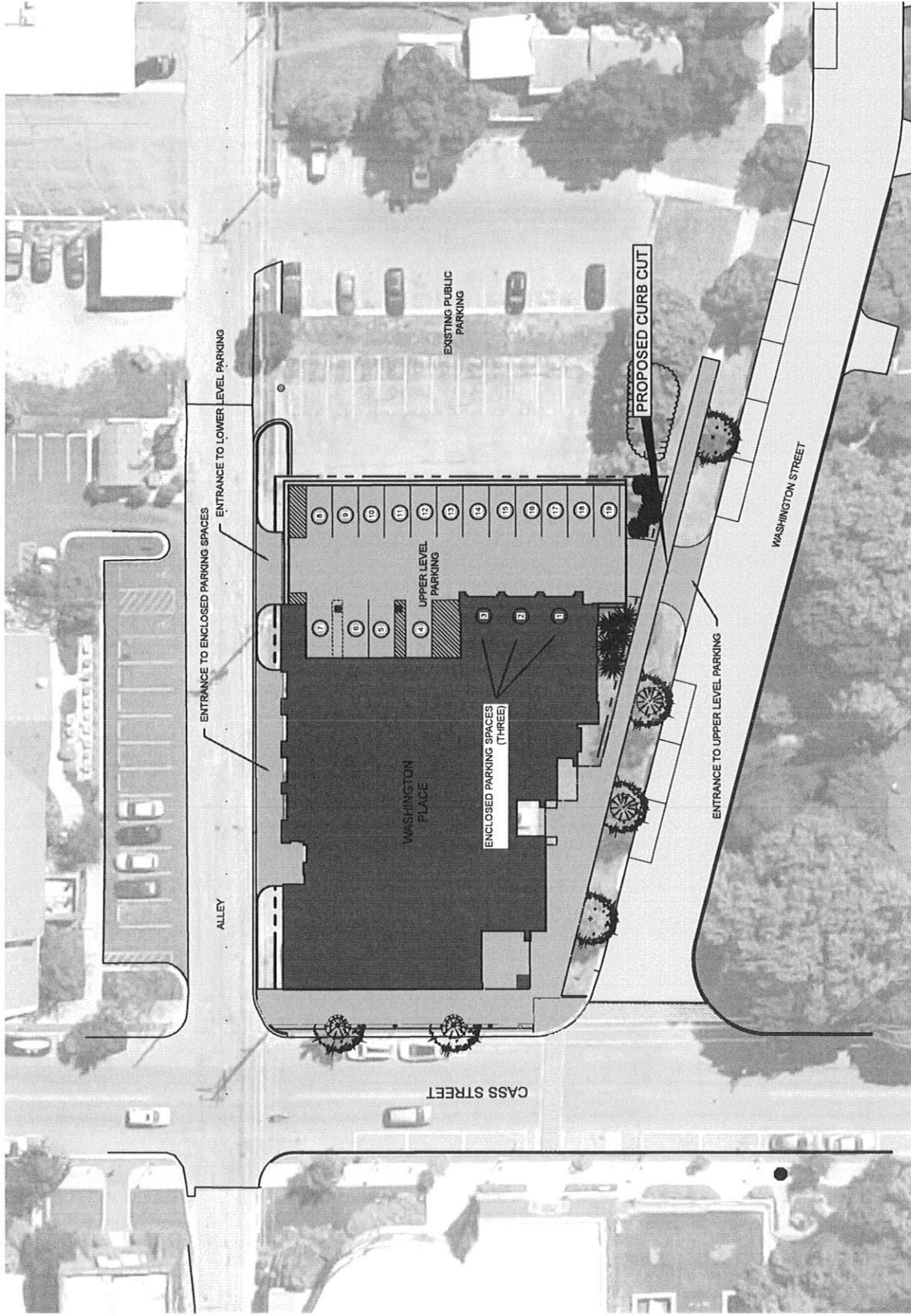


- 8 EXISTING CURB CUT
- A-1 EXISTING ALLEY CURB CUT

exhibit 2
overall curb cut inventory map

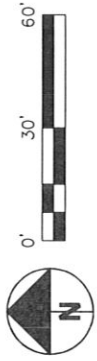


washington street curb cut request



1 PARKING SPACE
ACCESSIBLE BY CURB CUT
FROM WASHINGTON STREET

exhibit 3
washington place site plan overlay



washington street curb cut request

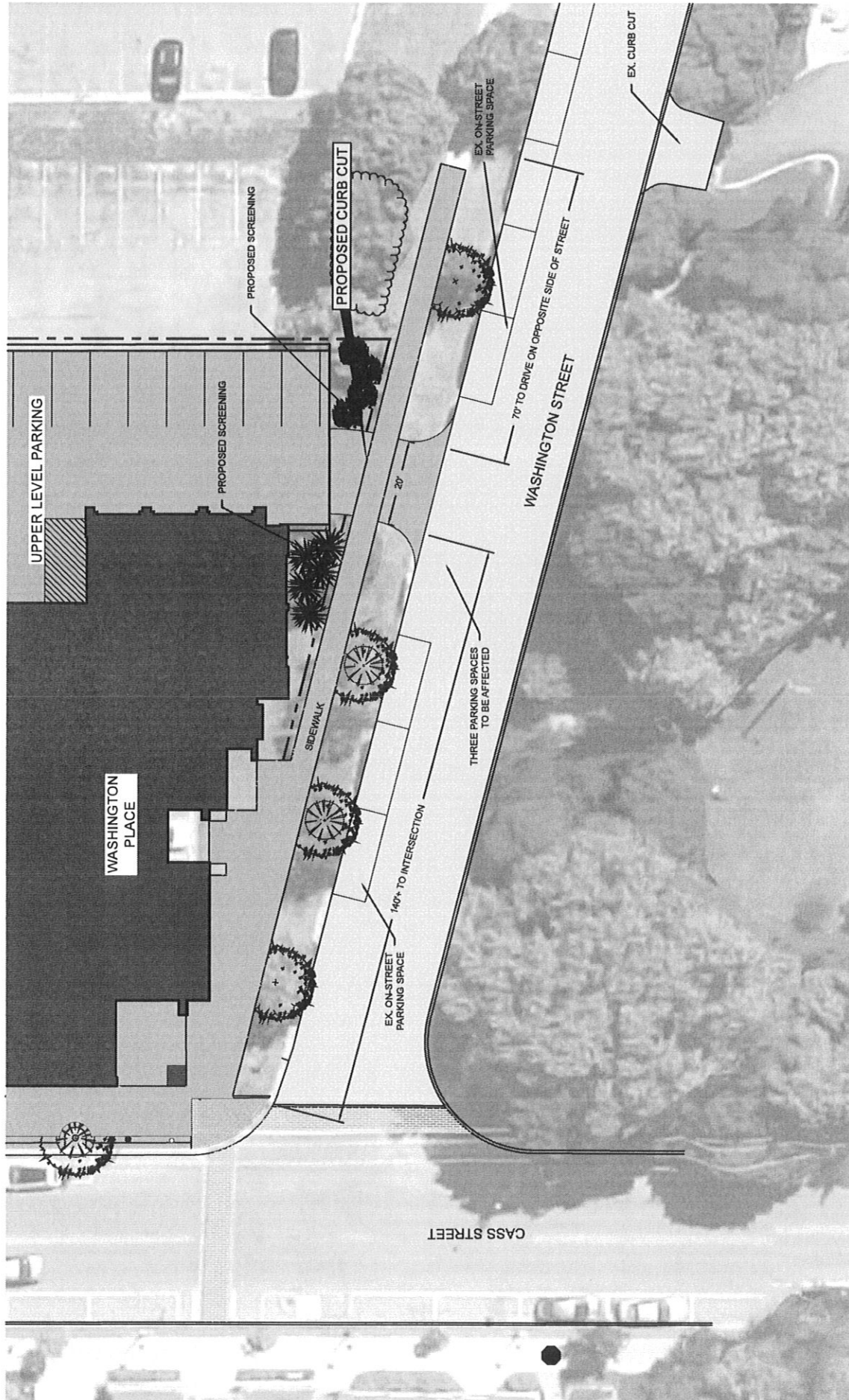


exhibit 4
proposed curb cut dimension plan



washington street curb cut request

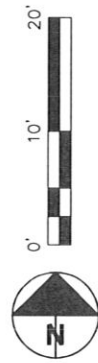
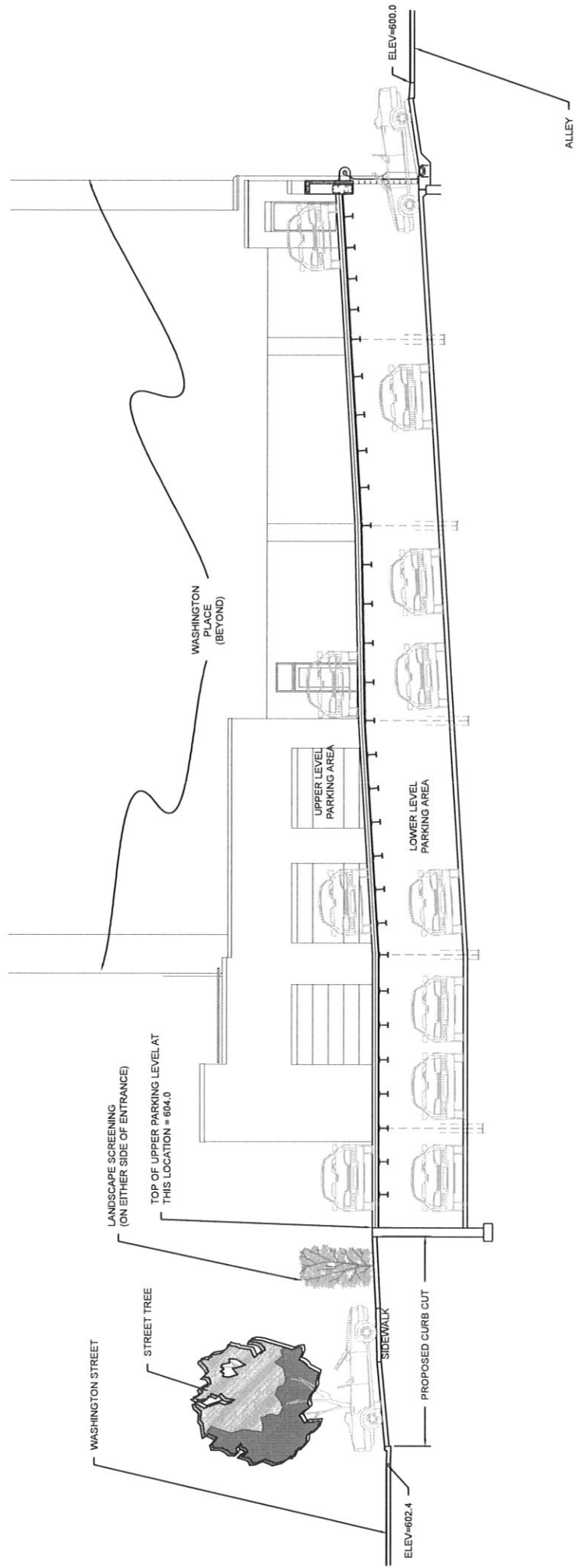


exhibit 5
parking section view

washington street curb cut request

Jon Laureto

From: Gnewkowski, Michael S BIS <Michael.Gnewkowski@otis.com>
Sent: Monday, April 27, 2015 2:19 PM
To: Jon Laureto
Subject: RE: Vehicle Elevators

Jon-

Unfortunately, the only elevators of size and capacity to elevate automobiles are the true freight elevators. These are holed-hydraulic units that under the designation as "freight" cannot be used to transport people, but only materials or in this case a car. They are not practical for general use by the public and are found typically in a manufacturing environment.

Sincerely-



Mike Gnewkowski

New Equipment Account Manager, LEED® AP
3765 Broadmoor, SE - Suite J
Grand Rapids, Michigan 49512
office: (616) 975-3022 x11
efax: (860) 755-4871
mobile: (616) 430-8728
michael.gnewkowski@otis.com
www.otis.com



Everything fits in the hoistway Curious? Click below to learn how:

<http://www.otis.com/site/us/Pages/Gen2ProductPage.aspx>

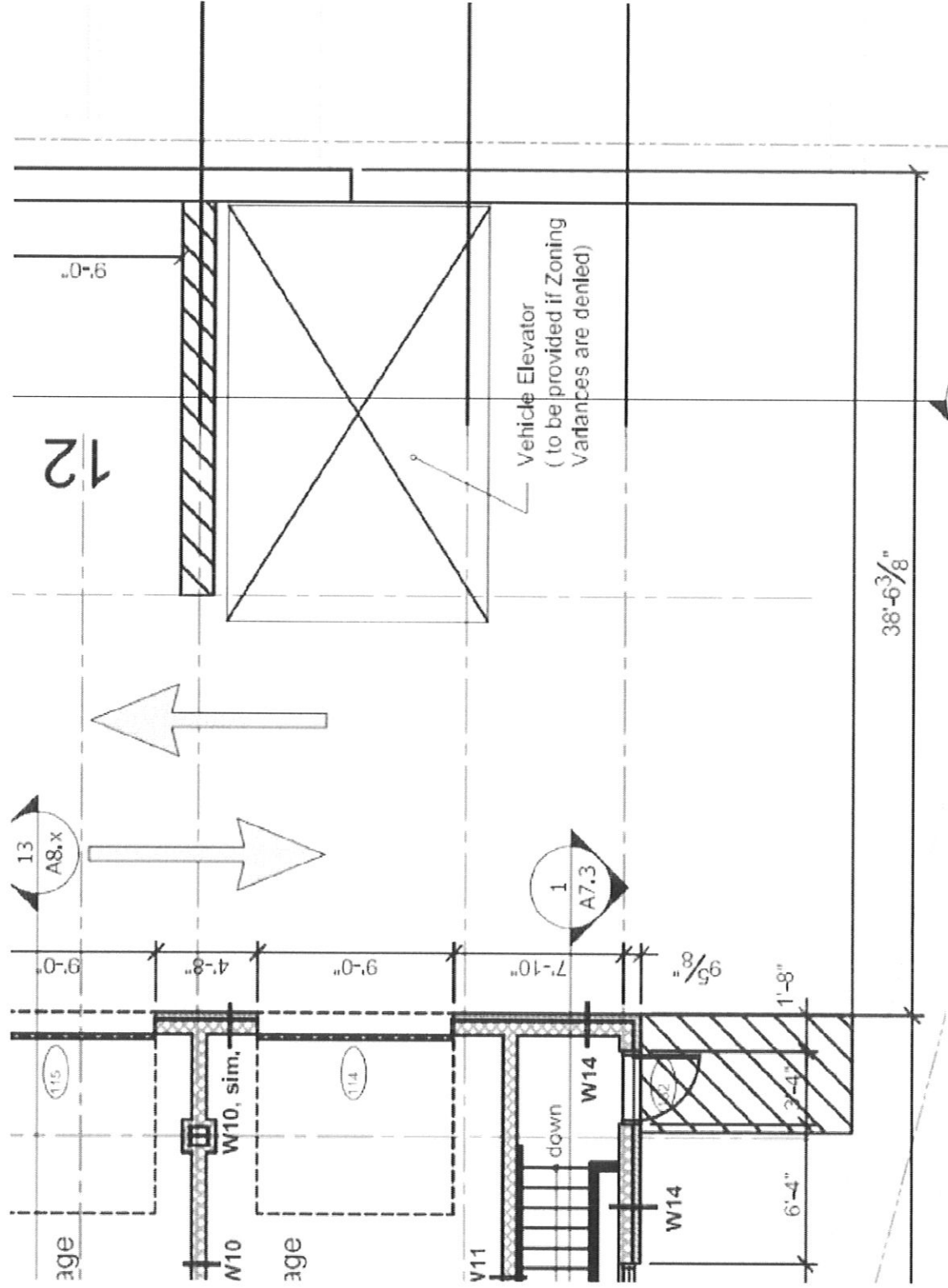
From: Jon Laureto [<mailto:jon@REIconstructionconsultants.com>]
Sent: Monday, April 27, 2015 11:51 AM
To: Gnewkowski, Michael S BIS
Subject: [External] Vehicle Elevators

Mike,

Can you have vehicle elevators in multi-family / public spaces? The city would like us to install versus a variance request.

Jon Laureto, LEED AP
REI Construction Consultants
(231) 735-3411 cell
jon@REIConstructionConsultants.com

Resubmitted Permit plans dated 10/27/14 – showing reference to Vehicle Elevator

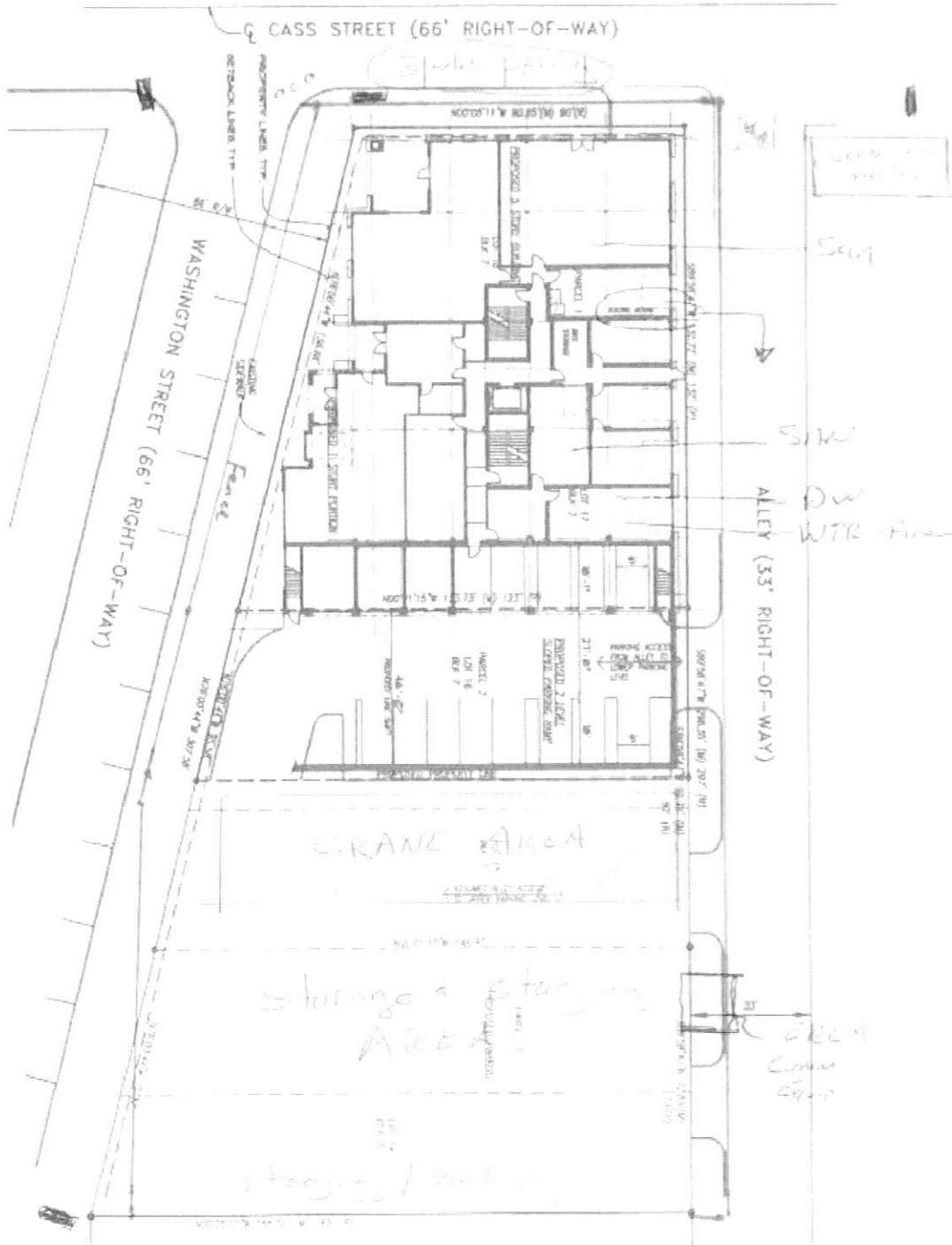




CONSTRUCTION
CONSULTANTS.COM

8/14/14

Washington Place
Construction Safety & Logistics



4. **REQUEST 07-09** - A request from Gerald A. Snowden, 1449 South Long Lake Road, Traverse City, Michigan for a dimensional variance to allow for a new driveway to access a street in a C-4 district and be less than 100 feet from an existing driveway located at the property commonly known as **346 East State Street**. (§1374.04(b)(2) & 1374.04(c))

Gerald Snowden presented drawings and answered questions from the Board.

Denni Scrudato, 422 East State Street, expressed support for the variance.

Rick Buckhalter, 1115 Rose Street, expressed support for the variance.

*Motion by Member Peltz, seconded by Member Wegener to grant a dimensional variance to allow for a new driveway to access a street in a C-4 district and be less than 100 feet from an existing driveway located at the property commonly known as **346 East State Street** based on the Statement of Conclusions and Finding of Fact contained in the Order Granting Dimensional Variance No. 07-09. Upon vote the motion carried 5-2 with Members Cockfield and Callahan voting in opposition.*

5. **PUBLIC COMMENT**

Denni Scrudato, 422 East State Street, spoke on the lost opportunity to widen Front Street with the potential project at Front and Division.

6. **OTHER BUSINESS**

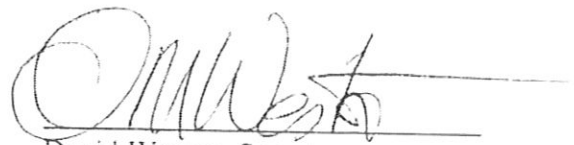
None.

7. **ADJOURNMENT**

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Date: 9-11-07


David Weston, Secretary

The City of Traverse City

Planning Department

GOVERNMENTAL CENTER
400 Boardman Avenue
Traverse City, Michigan
49684



CITY PLANNING COMMISSION

July 23, 2007

Mr. Michael Callahan, Chairman
Board of Zoning Appeals
400 Boardman Avenue
Traverse City, MI 49684

Dear Mr. Callahan:

Before the Board of Zoning Appeals is an appeal from Mr. Gerald Snowden, Developer of the Boardman Brownstones, a nine-unit residential development, at the southwest corner of State and Boardman to permit a driveway on State Street. The property is within the C-4 Regional Center District, which does not allow new driveways onto a public street.

Please let this letter serve as support from the City Planning Commission to grant relief from the prohibition of driveways and the driveway separation requirements to allow a driveway onto State Street, with restrictions, for the Boardman Brownstones development. According to Mr. Snowden, the driveway would be limited to ingress only and would be designed to prevent drivers from exiting onto State Street from this driveway.


In making this recommendation, the Planning Commission recognizes the driveway as constructed makes it difficult to maneuver an automobile into the northern most garage. By allowing a driveway from State Street, the maneuvering effort would be less difficult.

The Planning Commission would like to limit the number of driveways in the downtown area so the business district remains pedestrian oriented. However, the Planning Commission recognizes that residential development is also very desirable and that in some cases a driveway onto the street for residential development will be necessary for properties that do not have alley access. The City Plan supports the expansion of residential opportunities in the downtown as a strategy to strengthen the retail core and provide housing close to work for many downtown workers. The Planning Commission is also exploring possible revisions to the Zoning Ordinance to allow driveways in the C-4 Regional Center district when a parcel's shape or dimension would make motor vehicle access only from an alley difficult in terms of circulation and maneuvering.

In the case of the Boardman Brownstones, the building is built. Parking an automobile in the northern most dwelling's garage is nearly impossible which makes it more difficult to sell. If relief is granted to permit a State Street driveway, perhaps the northern most residential unit will be more marketable and the unit will be occupied.

The Planning Commission appreciates the thoughtfulness the Board of Zoning Appeals will give this request to vary the driveway requirements for this residential development.

Sincerely,


Janice Warren
Planning Commission Chairwoman

one
RICHMOND ARCHITECTS

ARCHITECTURE OLD MUNSON HALL
PLANNING 421 WEST 5 STREET
URBAN DESIGN SUITE 2W
TRAVERSE CITY MICHIGAN 49660
313.946.0400 FAX
313.946.3423 FAX

RECEIVED

October 17, 2006

OCT 18 2006

Russ Soyring, City Planning Director
City of Traverse City
400 Boardman Avenue
Traverse City, MI 49684

PLANNING DEPT
CITY OF
TRAVERSE CITY

Re: Consideration of curb cut on State Street at the new Brownstones on Boardman per a site meeting and discussions with Dave Weston, Jerry Snowden and Ken Richmond

Dear Russ,

I am writing on behalf of Jerry Snowden and Ross Biederman to ask the city to consider a new curb cut just west of Boardman Street on the south side of State Street (both are "collectors"). The site is narrow for the nine new residential units and the on-site parking below each one barely works – back up space is minimal, garages and turning radius are very tight and the single access drive to the alley requires residences to backup or wait for one another to get in and out of their spaces. We expect this to be even worse in the winter. One way egress to State Street with a new curb cut would help considerably.

We understand that this request is not specifically allowed in the C-4 district but a new curb cut in this location may be considered within the intent of the ordinance.

We ask you to please consider the following in support of our request (as referenced to the Traverse City Zoning Ordinance in regular type). Note my commentary in italics.

1246.01 STREETS, CROSSWALKS AND PEDESTRIAN WALKWAYS.

(a) Location and Arrangement.

- (4) Alleys. Alleys shall not be permitted in plats in areas intended for single or two-family residential development. Alleys may be provided in commercial subdivisions. Dead-end alleys shall be prohibited.

Although not technically an alley, the service drive at the Brownstones acts like one in the traditional Traverse City way of handling cars, trash and services at the rear of the residential units. As a dead-end, it doesn't work well and may not meet the intent of this section. Also, while we may lose one parking space on the street with this curb cut, we have gained twelve on the site.

1026.02 (Curb Cuts). CONDITIONS FOR ISSUANCE.

No curb cut permit will be issued:

- (a) When the curb cut is to be made permanent and is within twenty feet of any other permanent cut on the same premises; *Compliance (Nearest curb cut is approximately 93 feet to the west.*
- (b) When such cut is to be made permanent and is intended to be more than thirty-two feet in its total throat width; *Compliance (Proposed curb cut may be as narrow as twelve feet.)*
- (c) When such cut is on corner property and is within the quadrant of an intersection or the sidewalk area; *Compliance (Proposed curb cut is approximately 52 feet away from intersection.)*
- (d) When, in the opinion of the City Manager, such cut will interfere with the safety of the public; *With City Manager approval.*
- (e) Unless the sidewalk above the area of the curb opening is constructed of an approved grade of monolithic concrete, not less than six inches in thickness for residential drives. (1976 Code Sec. 9.172) *Compliance (Sidewalk meets specifications.)*

1374.04 DRIVEWAYS AND ACCESS REQUIREMENTS

- (a) **Intent.** It is the intent of this section to regulate the number, location and spacing of driveway entrances to public streets from private property and to encourage the joint use of driveways and alternative access ways wherever possible so as to minimize the frequency of traffic conflict points, increase safety and protect the traffic carrying capacity of arterial and collector streets.
- (b) **Prohibitions.** After the effective date of this Zoning Code.
 - (1) No new driveways are permitted on a new primary arterial or new collector street.
 - (2) No new driveways are permitted from streets in the C-4 District.

Limiting curb cuts in the C-4 District this way discourages small scale infill development. To encourage good buildings and best use on small 65 foot wide lots like the Brownstones, new driveways will have to be considered. Like much of Traverse City's traditional development patterns, especially along State and Boardman Streets, buildings developed along these collectors streets with direct access to the frontage.

- (c) **Minimum spacing regulations.** The following minimum driveway spacing requirements shall apply to arterial and collector streets in all districts. Driveways located in proximity to another driveway on the same die of the street shall not be closer than the linear footage established by the following:

<u>Street Type</u>	<u>Alternate Access Available</u>	<u>No Alternate Access Available</u>
Arterial	200 feet	100 feet
Collector	200 feet	100 feet

- (d) **Minimum distance from street intersections.** Driveways shall not be located nearer to street intersections than established by the following. Minimum spacing is measured along the street curb line and is determined by the linear footage from the end of the intersection curb radius to the end of the driveway curb radius.

If a driveway enters a street classified as:	And the intersecting street is classified as:	Minimum spacing for driveway entering a lane approaching the intersection (feet):	Minimum spacing for driveways entering a lane leaving the intersection (feet):
Access	Access, Collector or Arterial	15	15
Collector	Access, Collector or Arterial	50	50
Arterial	Access	50	50
Arterial	Collector	50	50
Arterial	Arterial		

Although the requested State Street access would be less than the required 200 feet from the next driveway (at approximately 93 feet) to the west, it does meet the 50 foot setback from the intersection (approximately 52 feet) to the east.

- (e) **Exceptions.** In all districts.

- (3) **Further exceptions.** Further exceptions to driveway minimum spacing regulation in paragraphs (c) and (d) hereof may be granted upon approval of the City Engineer. The distance requirement may be reduced by no more than 50 percent if the City Engineer determines that the requested exception, along with possible additional exceptions in the same area, will meet the following findings:

- A. The character of the street or neighborhood shall not be diminished or negatively impacted.
- B. It is necessary for reasonable use of the lot.
- C. It shall not contravene the intent and purpose of this Zoning Code.
- D. It meets other conditions the City Engineer may specify regarding the health and safety aspects of the exception.

The new use of this site for a multi-family building clearly does not meet exceptions 1374.04 (e) (1) and (2) (dealing with existing conditions), for existing curb cuts but the city can grant an exception for a new one as long as the distance of the curb cut to the corner is not less than 50 feet and A. the character of the "street or neighborhood is not negatively impacted" or B. it does support "reasonable use of the lot." Traverse City pedestrians (and skateboarders too) in the Boardman neighborhood and on State Street are accustomed to well marked driveways and alleys as part of living and walking downtown. With nine new residences and their vehicles on the corner of Boardman and State Streets it seems reasonable to not direct all vehicles to the alley but to consider routing some of them, maybe one way, on or off of State

Street. The new driveway would be consistent with the existing built patterns of the neighborhood.

The other driveway requirements 1374.04 (f), (g) and (h) would be easy to meet.

1374.04 DELIVERY TRUCK LOADING REQUIREMENTS.

It would also be possible to limit service access off State Street with signage and limited clearances to autos only, to direct the occasional delivery or service vehicle to the alley.

1346 C-4 REGIONAL CENTER DISTRICTS, introduction

It seems important to point out the intent of C-4 development in the Zoning Ordinance and the Brownstone's compliance with it . . .

- "...integrated common parking facilities."*
- "...integrated with historically significant buildings."*
- "...high density housing is appropriate."*

This same section allows driveways to public parking areas. However, it also allows for private parking when:

1346.01 USES ALLOWED: Parking Areas – Private

- (1) "The parking is accessory to an allowed use." – Compliance*
- (2) "There can be demonstrated a need for private parking which will not be satisfied by existing or imminent public parking within 500 feet of the proposed use." – Compliance*
- (3) "No buildings may be removed or demolished to provide the private parking area." – Compliance*
- (4) "Access shall be from an alley or adjacent property only, not from a public street." – Not in compliance, thus this request.*
- (5) "All requirements of Chapter 1374, Circulation and Parking, are met, exception Section 1374.03(d), Parking space requirements." – Okay*
- (6) All requirement of Sections 1372.04, screening requirements for parking areas, and 1372.05, Landscape development internal to a parking area are met. – Okay*
- (7) Pedestrian travel routes within the parking area shall be provided, clearly defined and approved by the Planning Director. – Compliance*

1346.01 USES ALLOWED: Parking Areas- Public

As a note, if this were considered "public parking" it would be in full compliance with 1346.01 (1), (2), (3) and (4) including the requested curb cut.

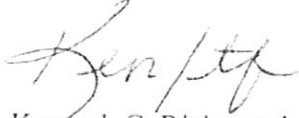
1346.02 Uses Allowed by Special Land Use Permit

Also, with a Special Land Use Permit, private parking is allowed on this site – all setbacks are met per 1346.04 and the building also complies with special requirements per 1346.09.

In closing, this request seems reasonable due to the city's desire to develop the downtown with good infill projects, especially residential, including the small parcels and not just large developments. Small infill will require curb cuts and site considerations perhaps different than large ones. These could be reviewed, as we are requesting here, site by site as exceptions, granted by the Zoning Administrator or the City Planner as provided by the Ordinance or as an Ordinance change in the form of an Amendment.

Thank you for your consideration of this request.

Sincerely,

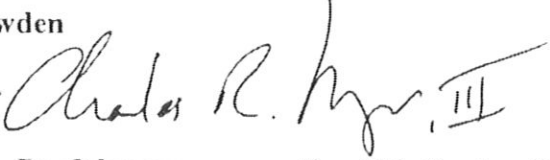
A handwritten signature in cursive script, appearing to read "Ken / tf", written in dark ink.

Kenneth C. Richmond, AIA

KCR:tf

Cc: Dave Weston
Jerry Snowden
Ross Biederman
Mark Eckhoff

MEMORANDUM

TO: Jerry Snowden
FROM: CR Meyer 
RE: Curb Cut - Draft language amending City Zoning Ordinance, The Brownstones
DATED: 01/23/2007

I have reviewed your materials for the above issue. I think that the dead-end alley prohibition in Section 1246.01(a)(4) of the Zoning Code is inconsistent with the no curb cut prohibition in Section 1332.08. These apparently inconsistent provisions ought to be reconciled in certain circumstances where a new project, like The Brownstones, creates private, off-street parking areas that are accessed through a common private driveway that is akin to a private alley.

I believe that an internal driveway in a project like The Brownstones is similar to a private alley. The Zoning Ordinance contains interesting definitions:

Alley is defined as "a way which functions primarily as a service corridor and provides access to properties abutting thereon." [ZC §1320.07]

Right of way means "a public or private street, alley or easement permanently established for the passage of persons or vehicles." [Id., emphasis added]

Driveway is defined as "a means of access for vehicles from a street, approved alley, across a lot or parcel to a parking or loading area, garage, dwelling or other structure or area on the same lot." [Id.]

I note, further, that an objective of the Zoning Code appears to be to promote private, off-street parking areas. The Brownstones created nine new private, off-street parking areas - and garages to boot.

The Zoning Ordinance also appears to at least contemplate - and perhaps require - that off-street parking be connected to a street. The definition of Parking area, off-street is: "a land surface or facility providing vehicular parking spaces off of a street together with drives and maneuvering lanes so as to provide access for entrance and exit for the parking of motor vehicles." [ZC §1320.07, emphasis added]

I therefore think the following simple exception to Section 1332.08 is consistent with the foregoing provisions of the Zoning Code.

FEB 05 2007

PLANNING & ZONING
TRAVELER CITY

AMENDING § 1332.08

“Provided that in cases where more than _____ * _____ (_____) residential dwellings are constructed in a new plat, subdivision or condominium established after 1999, which is serviced by an internal private driveway or alley, the following special exception shall apply, so as not to create a violation of Section 1246.01(a)(4) of this Zoning Code (prohibiting dead-end alleys): A curb cut and direct driveway or alley access to a public street may be permitted upon a finding that a minimum of one private off-street parking area per dwelling has been created within the new plat, subdivision or condominium.”

*Density inserted. Note, instead of specifying a minimum density, the amending language could be tied to “Multiple family dwelling,” which by definition in Zoning Code is three or more dwellings. If this is option preferred, language would start: “Provided that in cases involving a Multiple Family Dwelling constructed in...[reads as above]”.

While I understand some of City Planning’s concerns, I also think that some of them are misplaced. In Mr. Lodge’s Memorandum dated 10/23/2006, two of his five objections are that co-owners of units in The Brownstones can use the public parking deck. If the City wants to encourage residential uses in a walkable community, the belief that homeowners should walk from a public parking structure to their residences is unrealistic.

The Memorandum also objects that up to two public parking spaces on State Street would be eliminated, if the dead-end driveway is opened up with a curb cut on State Street. I think the better point is that The Brownstones created nine private off-street parking areas. So, there is a net gain of 7 off-street parking areas.

Finally, Mr. Lodge’s point that the site could have been designed differently seems to me inconsistent with the Zoning Code provisions quoted above. If the City wants to encourage off-street parking areas, the Code clearly contemplates - and would appear to me to require - an “entrance and exit” “off of a street.” This is how The Brownstones are designed.

The proposed amendatory language allows this to occur in very limited and unique situations, by harmonizing Sections 1246.01(a)(4) and 1332.08.

May 6, 2015

To: Board of Zoning Appeals Members / Dave Weston;

Unfortunately my travel schedule does not allow me to attend the May 12, 2015 meeting of the BZA. It is my understanding that at this meeting you are going to consider a request from Tom McIntyre SNAFU Investments for a driveway variance for property at 215 Washington Street. I am personally opposed to granting this variance. There are several facts that should be brought to light in regard to this matter.

Attached is a copy of the Traverse City Study Session Agenda for November 25, 2013. The accompanying drawings, which I have labeled #1 and #2, were presented in that packet. Drawing #1 clearly shows that the access to parking is from the alley. The street and alley are clearly identified on Drawing #2. In addition, I understand from the City Engineer that on several occasions the Engineering staff has had discussions with the applicant or his designee, making clear that the city will not allow for a driveway from Washington Street in accordance with City of Traverse City Zoning Ordinance 1374.04 b. Also, Zoning Ordinance 1346.01 addresses access to parking from the alley, and then goes on to define access from the street when no alley is present. Both ordinances are quite clear that when there is an alley, access to parking must come from the alley.

In spite of these conversations, and in spite of the clarity of the ordinances, the developer appears to have changed his mind and continued to build in a manner that would necessitate a driveway from Washington Street. The developer has, in my personal opinion, consciously disregarded city ordinance and adopted an attitude of "better to ask forgiveness than permission".

There are important ramifications that would occur should this variance be granted. First of all, The City of Traverse City has been working steadily for years on the elimination of driveways in higher walking or biking traffic areas (especially in the commercial districts). In fact, during the recent project to re-pave West Front Street considerable effort was expended in an attempt to get business to abandon existing driveways. Secondly, driveways, according to National Institute of Traffic Safety data are one of the leading causes of auto and pedestrian accidents. Third, the grant of this variance would mean that there would be the loss of three (3) street parking spots on Washington Street. Therefore, granting this variance creates an exception to current Traverse City efforts to reduce curb cuts; creates a potential for pedestrian/auto accidents at the point of entry to the parking area; and causes a net loss in number of street parking spaces. In my opinion, none of these things should occur, and therefore the variance should be denied. I can see no justification for a variance to be granted, in that any alleged 'hardship' to the applicant appears to be of his own doing.

At stake in this variance request is a more fundamental question: that of principle. This request has more impact than simply the issuance of a driveway exception to the City Ordinance. I feel it is important that the City hold developers to the agreed-upon standards and ordinances that are established. I believe that in this particular situation, the developer was well aware that what he was doing was not acceptable, but built in a manner that created the very hardship from which he seeks relief. I strongly urge you to uphold the directions of the City in regards to minimizing curb cuts within the commercial districts and to send a clear message to all developers that the city ordinances and agreements are something that must be followed. Please vote NO on this request for a variance.

Thank you for your efforts on behalf of the City of Traverse City,

John F Serratelli

237 Midtown Dr.
Traverse City, MI.

A handwritten signature in black ink, appearing to read 'JF Serratelli', with a long, sweeping horizontal stroke extending to the right.

Welcome to the Traverse City Study Session!

Any interested person or group may address the City Commission on any agenda item when recognized by the presiding officer or upon request of any commissioner. Also, any interested person or group may address the City Commission on any matter of City concern not on the Agenda during the agenda item designated Public comment. The comment of any member of the public or any special interest group may be limited in time. Such limitation shall not be less than five minutes unless otherwise explained by the presiding officer, subject to appeal by the Commission.

Agenda

Pledge of Allegiance

Roll Call

1. Discussion regarding development plans for Washington Place. (Jered Ottenwess, Russell Soyring)
2. Announcements from the City Clerk. (Benjamin Marentette)
3. Public comment.
4. Adjournment.

WASHINGTON PLACE
c/o SNAFU, LLC
116 Cass Street
Traverse City, Michigan 49684

November 12, 2013

Jered Ottenwess, City Manager
City of Traverse City
400 Boardman Avenue
Traverse City, Michigan 49684

Re: Option Agreement between City of Traverse City and Snafu, LLC

Jered,

With this application, per the Option agreement dated 2/22/2006 between City of Traverse City and Snafu, LLC (Tom McIntyre) I am asking for city approval of the proposed project that involves city parking Lot W and the adjacent SNAFU, LLC lot to the east. The proposed new building on the corner of Washington and Cass streets includes one level of retail and/or professional use at street level, three floors residential above and one level below grade parking. Plans, elevations and reference site plans included. I believe we have fulfilled the requirements for this request of an "Approved Project" for Lot W.

Should you have any questions please do not hesitate to contact me. Thank you for your consideration of our request.

Sincerely,



Tom McIntyre
Co Developer

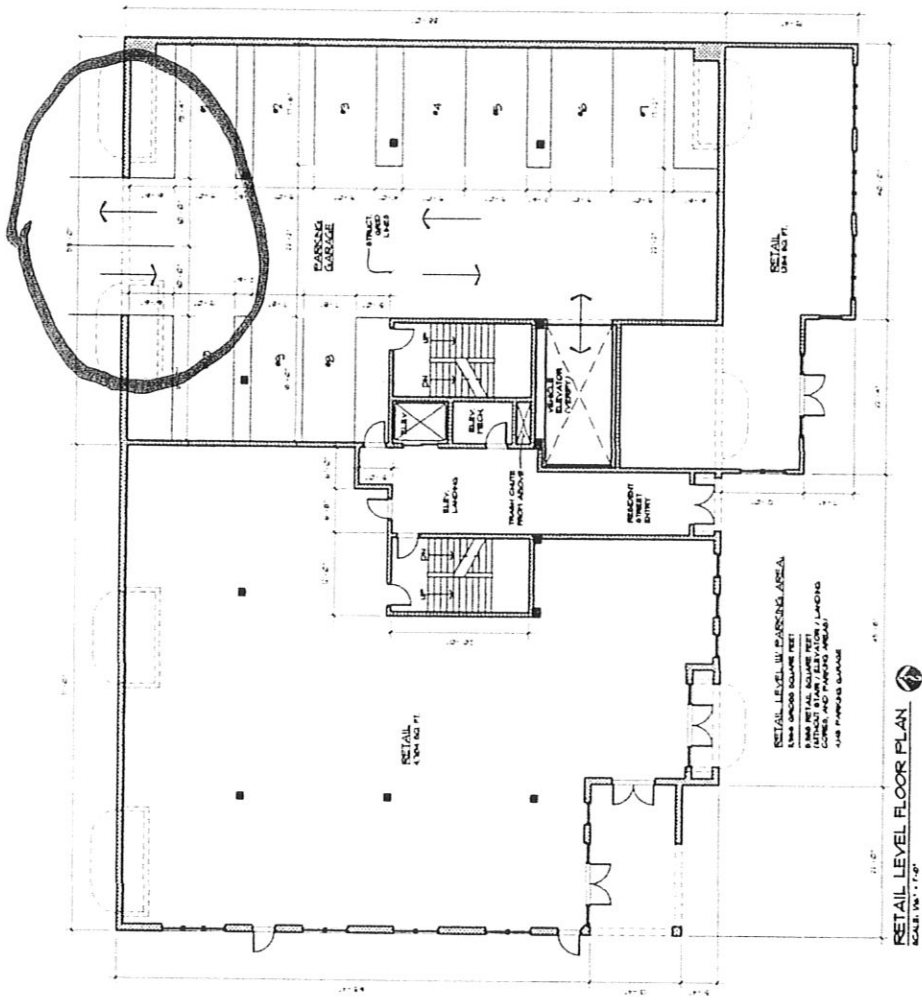
Richmond Architects
 1000 Richmond Avenue
 Suite 1000
 Richmond, VA 23261
 Tel: (804) 771-1200
 Fax: (804) 771-1201
 Email: info@richmondarchitects.com

RICHMOND
 Architects
 WASHINGTON PLACE

RETAIL LEVEL FLOOR PLAN

DATE	12/1/2018
BY	2/4/2019
CHECKED	4/4/2020 REVISED
DATE	6/16/2023
PROJECT	MONTEPE
STATUS	PRELIMINARY

A3



May 1, 2015

Ref: Response to hearing for zoning relief made by Tom McIntyre

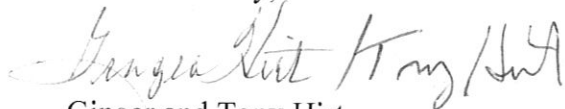
To: Traverse City Board of Zoning Appeals

This letter supports a DENIAL for the requested relief.

We are sending this letter as we will be out of town at the time of the public hearing. Our reasons for urging a denial are:

1. Before the new 5-story building was started there was a parking lot that was served well through access via the "alley." This alley is wide and paved, more of a street than an alley. Having another entrance to parking in the same location is unnecessary.
2. In our dining area we have a direct view of the intersection of Cass and Washington St. This intersection is clearly a busy one, with vehicles going and coming between Cass and Washington. Often there are West bound vehicles lined up waiting to turn onto Cass. At the same time there are many vehicles turning from Cass to go East on Washington. Should an East bound vehicle then want to turn across the West bound traffic into a driveway it would likely result in a backup of the East bound traffic back to Cass, causing a more serious traffic problem at that intersection. Adding a driveway into the new building off Washington would be too close to an already congested intersection.
3. Additionally, many pedestrians and cyclists negotiate the Cass/Washington intersection at all times. Adding to the congestion would increase the hazards experienced by these people.
4. Finally, we are confident that the existing ordinances were created for good reasons. Presumably Mr. McIntyre, an experienced developer, understood the limitations and challenges of this particular location for his multi-use construction. Keeping congestion to a minimum should be a goal of the Zoning Board.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Ginger and Tony Hirt".

Ginger and Tony Hirt
222 Washington St., #4